

POLITICAL PARTIES
AND
ELECTORAL PROBLEMS

POLITICAL PARTIES AND ELECTORAL PROBLEMS

THIRD EDITION

BY

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POLITICAL PARTIES
AND ELECTORAL PROBLEMS
THIRD EDITION

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TO
MY MOTHER

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PREFACE

THE purpose of this book is to interpret American political parties with a view primarily to the needs of voters and those who are soon to become voters. With that purpose in mind the nature and activities of parties generally, their development, present condition, and the principal problems of reform which they present in the United States, are taken up in order. Since the active contact of citizens with parties, and through them with government, is most directly exercised by the ballot, the voting process in all its forms and details is made the heart and center of the discussion.

For two decades the author has been engaged upon the task of interpreting political parties to undergraduates in the class rooms of Cornell University, the University of Cincinnati, and Swarthmore College. Designed primarily for use as a college text, such adaptability as the book may possess for that purpose must be credited largely to the students who for so many years have been not only the author's auditors, but his frequent and helpful critics as well. Next to them he has had most in mind throughout the large number of citizens who were enfranchised by the Nineteenth Amendment. With the needs of the latter in view, particular attention has been given to every point in connection with American political organization and life affecting the interests of women voters. It is hoped further that the book may have an appeal to editors, lecturers, statesmen, and men of affairs generally—in short, to all who are seriously concerned in any way with the problems presented by parties to the American electorate.

Outside the class room the writer has taken as active a part in the political life surrounding him as academic freedom permits, on one or two occasions perhaps so "perniciously" as to raise questions regarding the limits of that freedom in the minds of his more timorous friends. It is his sincere conviction that without such vital contacts the teaching of party politics degenerates into an empty, wholly uninspiring formula. With such contacts, on the other hand, no subject is capable of arousing more intense interest, particularly among youth. Not that political activities

should be undertaken primarily for pedagogical ends (although often they are undertaken with much less creditable motives) ; still the author feels deeply that teachers of political science are under a peculiarly heavy moral obligation to perform vigorously and effectively the duties of citizenship. And as a local party official for many years, as candidate for minor public offices on sundry occasions—unsuccessfully, be it recorded—as a campaign speaker, and even between campaigns as advocate of woman suffrage, the League of Nations, municipal reform, and other causes, he has sought to meet this obligation; moreover in doing so he has enjoyed many vivid moments, made innumerable pleasant friends, also some stimulating enemies, and incidentally learned to modify various of his preconceptions regarding the problems discussed in these pages.

Delightful and valuable as that experience has been, it represents, of course, but one narrowly circumscribed aspect of party politics with its countless facets and its millionfold appeal. Remembering the necessary limitation of the contacts open to a single individual, the writer counts himself extremely fortunate in the assistance and information so cheerfully and frankly given him by friends of every shade and grade of political belief and experience—public and party officials, administrators, reformers, independents, colleagues in other colleges and universities, and, not least in good will and instructiveness by any means, the common or garden variety of ward and county politicians. These helpers are far too numerous to mention here, but wherever possible grateful acknowledgment is made in footnotes throughout the volume. Particularly valuable was the advice given by them in regard to Active Participation in Politics, the subject of the last chapter, which it is hoped may be of service to those young men and women who realize that citizenship begins, but does not end, with the mere poking of a ballot into a box at the polls.

For assistance of an even more exacting character the author is indebted to Prof. Thomas H. Reed of the University of Michigan and Dr. Anna M. Michener of the Statistical Division of the National Bank of Commerce in New York, who have read and offered valuable suggestions on large parts of the manuscript, and to Prof. Arthur N. Holcombe of Harvard University, who performed a similar service for the work as a whole. To his wife, who has been a zealous colaborer in many political movements,

the obligations of the author for help written as amanuensis in every line and given at innumerable points as keen and kindly critic, are beyond measure and recompense.

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SWARTHMORE COLLEGE,
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June 16th, 1923.

PREFACE TO THE THIRD EDITION

IN publishing this book nearly a decade ago no thought was further from the writer's mind than that a revision would ever be needed. As a rule such works have a temporary appeal only. Nevertheless the demand for *Political Parties and Electoral Problems* has continued to a degree that causes the author to feel, in almost equal measure, surprise and gratitude. Accordingly he has undertaken to revise the book in the light of recent political history down to and including the presidential campaign of 1932. Also he has sought to incorporate in it the results of his participation in honors work at Swarthmore College, a progressive educational movement of national importance, which has absorbed his best energies as a teacher during the decade just closing.

Needless to say he hopes that the revision will be found helpful by teachers and students of political science. One thing encourages him particularly amid much that is distressing in our public life, namely that never in all his experience has there been so wide and profound an interest in practical politics. Most of all he hopes that the revised work may contribute to equip the coming generation of young Americans for the solution of some of the extremely difficult problems that confront them.

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March 1st, 1933.

“In America the great moving forces are the parties. The government counts for less than in Europe, the parties count for more.”

—JAMES BRYCE
The American Commonwealth

PART I

NATURE AND ACTIVITIES OF PARTIES

POLITICAL PARTIES AND ELECTORAL PROBLEMS

CHAPTER I

NATURE OF POLITICAL PARTIES

POLITICS offers many avenues of approach. Party activity is the most obvious of these, but it is by no means the only one. The American citizen who is interested in public affairs encounters an extraordinarily large number and variety of voluntary organizations each more or less engaged in the work of influencing the conduct of government. Some of these associations limit themselves to a single issue or a single field of activity, as, for example, the Short Ballot Organization, the Civil Service Reform League, the American Protective Tariff League, the American Association for Labor Legislation, the Anti-Saloon League and more recently the National Crusaders' League for the Repeal of the 18th Amendment. Others cover in some fashion the general activities of the government of a city, a state, or even of the nation. An alert city club keeps up a fairly constant fire of comment and criticism upon the acts both of commission and omission of all the departments of municipal government. Bureaus of research offer elaborate constructive suggestions to local or state governments. The National Popular Government League reports upon the activities of Congress and of various federal administrative departments with commendable pertinacity and penetration. The League of Women Voters discusses every political question, national, state or local, of interest to its membership. In addition to these purely political associations a large number of organizations primarily concerned with other fields—labor unions, farm co-operatives, church federations, commercial and professional bodies, and the like—are accustomed to take action whenever their interests are affected by government.

Voluntary
political
organiza-
tions

All things considered the value of the contributions of such

Value of
their con-
tribution

organizations to our public life is beyond question. To be sure some of them are "pressure groups" which pursue narrow and self-seeking ends; others, however, offer opportunities for constructive statecraft which no one interested in politics can afford to ignore. Nevertheless they are supplements to, rather than substitutes for, political parties. At least it is evident that the latter perform certain characteristic functions not undertaken even by such of the above mentioned organizations as are primarily political in character.

Making
nominations the
test of a
political
party

Most distinctive among the characteristic functions of a political party is the designation of certain of its leaders as candidates for public office. In such legal definitions as may be found scattered throughout the statute books of our states the making of nominations is regarded, and rightly so, as the fundamental test of a political party. It has the further merit of being easily applied for administrative purposes. Voluntary political organizations other than parties, such as were mentioned above, engage in manifold activities but they do not place tickets in the field. They may even discuss the records of party candidates and advise the public to make selections among them as is the custom of various Voters' Leagues, but this is not the same thing as selecting them in the first instance and thus accepting responsibility for them. If an organization which hitherto has pursued limited ends decides to go further and actually makes nominations it becomes *ipso facto* a political party.

Importance
of the
nominating
function

The making of nominations is not only the distinctive activity of a political party, it is, moreover, a public service of the greatest importance and significance. Especially in a country like our own with an extremely large number of elective offices and frequently recurring elections the volume of work involved merely in selecting candidates is enormous in the aggregate. No doubt parties often do this work imperfectly. At times they are accused of nominating men of known incompetence and bad reputation; at other times it is charitable to assume that they have been deceived in the character of their own nominees. Nevertheless, nominations must be made at the appointed intervals if the work of government is to go on. And among our numerous organizations devoting themselves to political ends parties alone stand ready at all times to assume this burden.

To formulate party principles and party policies may seem a

much higher duty than nominating candidates. Yet the latter is often the more immediate need of the hour. Whether in the last analysis we have a government of men or a government of laws there is no avoiding the admission that men must be chosen to enact and to administer laws. Impressed too greatly by the ponderous platforms usual in our national campaigns citizens are wont to forget the innumerable local political contests 99 44/100 per cent of which are made up of pure personalities. From the point of view of party history as a whole formal platforms are a comparatively late development even in national politics. In the United States the general adoption of the direct primary since 1903 has caused the disappearance of official platforms in many cities, counties, districts and states, where formerly delegate conventions were accustomed to formulate political professions of faith held to be binding throughout the areas concerned. Moreover when one is comparing the relative merits of formulating principles and policies with the making of nominations it is worth remembering that to a large part of any electorate the former, and putatively nobler, occupation appeals but faintly. Only when dramatized by forceful and sympathetic leaders, fighting in the political arena for power to realize them, do principles elicit full popular response. Certainly it is much easier merely to formulate ideals and loudly call upon all good citizens to come to their support, than to undertake the further steps of securing representative and responsible candidates and backing them effectively in their campaign for office. Perhaps that is one of the reasons why so many individuals and voluntary political organizations other than parties content themselves with the purely preliminary activities. However this may be, the political necessity and social utility of the additional functions which parties alone undertake must be conceded frankly.

Formulation of principles and policies

In an oft-quoted passage from Edmund Burke party is defined as "a body of men united, for promoting by their joint endeavors the national interest, upon some particular principle in which they are all agreed."¹ Usually this statement is criticized as idealization rather than definition, as an attempted glorification by the brilliant Whig pamphleteer of his own party in contrast with the irresponsible cabal of "King's Friends" whom George III had gath-

Burke's definition of party

¹ *Thoughts on the Cause of the Present Discontents*, published 1770, *Works*, vol. i, p. 530.

ered about him. And as it stands the statement does indeed seem to lay stress upon "principles" and "the promotion of the national interest" to the exclusion of other and perhaps lower ends for which parties have striven not only in Burke's time, but later. However, the words quoted above should be read in connection with the following sentences from the same paragraph:

For my part, I find it impossible to conceive that any one believes in his own politics, or thinks them to be of any weight, who refuses to adopt the means of having them reduced into practice. It is the business of the speculative philosopher to mark the proper ends of government. It is the business of the politician, who is the philosopher in action, to find out proper means toward those ends, and to employ them with effect. Therefore every honorable connection will avow it is their first purpose, to pursue every just method to put the men who hold their opinions into such a condition as may enable them to carry their common plans into execution, with all the power and authority of the state. As this power is attached to certain situations, it is their duty to contend for these situations.

Included
the making
of nomina-
tions

The additional sentences make it clear that Burke's conception of party, however ideal in other respects, included the very practical function of bringing men forward for office. Finally, it involves the idea that a body of men who hold to certain political principles with sincere conviction and a sense of their importance will, *ipso facto*, take the further step of selecting and supporting men who, when placed in office, will endeavor to realize these principles. In other words, a party necessitates to this extent a higher voltage of conviction than those political associations which do not make nominations.

Signifi-
cance of
platforms

While the formulation of party principles and party policies is not the most distinctive of party functions, it is nevertheless of high importance and great social utility. It is an activity that, as we have noted, is common not only to political parties but also to other organizations which do not make nominations, and which therefore are not to be counted properly as parties. In the great majority of cases, however, the programs laid down by such organizations are admittedly partial in their scope. Party principles, on the other hand, are put forward as possessing comprehensive virtues; until quite recently party platforms tended to become longer with each campaign as the result of efforts to

cover, or appear to cover, every governmental question of importance. Although many "planks" may be evasions, misrepresentations, or pious platitudes, the theory of the party in the matter is that the principles it holds furnish all that is needed for higher guidance, while the policies it proposes supply a detailed program quite sufficient for the general conduct of government in case the party is given power. And of course in each case these principles and policies are advocated, if not as absolutely ideal, at least as distinctly and demonstrably superior to those of other parties with which it is contending for supremacy.

Party professions of faith, it may be observed, include both principles and policies. Logically it is quite possible to make a distinction between the two, although application of the distinction is not always easy. The principles of a party have been defined as "the durable convictions held in common by its members as to what the state should be and do. . . . The policy of a party, on the other hand, comprehends all that the party does in order to establish its principles; it includes, therefore, the whole of the party's conduct. Principles are disclosed in the end which is sought; policy in the means employed for the attainment of the end."² Even with this guidance, however, how shall one classify say, centralization *versus* states' rights? Long referred to as the "continuing basis of division in American politics" both the major parties have shifted ground frequently on this principle, if principle it be. Under the statements quoted above tariff revisions, up or down, would rank as matters of policy pure and simple, nevertheless for decades they held the center of the political stage.

Definition
of party
principles

By definition party principles having a greater permanence should have a higher validity than party policies. The latter must square with the former, but in practical politics considerable stretching is sometimes necessary to make them seem to do so. In such cases, however, it is always possible to maintain more or less convincingly that the changes made are matters of policy only; or that they are justified by great emergencies or exceptional conjunctures of affairs never likely to recur; or that, indeed, they are necessary to the life of the state itself. To clinch the latter argument it may be added that the preservation of the

Relation of
principles
to policies

² Anson D. Morse, "What Is a Party?" in *Parties and Party Leaders*, p. 14 (1923).

state affords the only possible means of returning to the original principles of the party after normal conditions have been restored.

Adjust-
ment of
principles
and
policies to
contempo-
rary needs

As a matter of fact party policies shift fairly rapidly with the current exigencies of politics, while party principles themselves are subject to new interpretations over longer periods of time. To survive a party must adjust itself to new conditions. At no time in its career, for example, did the Federalist party suffer from a dearth either of principles or policies, but these failed to keep step with the democratic movement of the times, hence its disappearance. On the other hand, a party may be abundantly supplied with principles and policies which are too far in advance of prevailing ideas and for that reason may suffer failure. Radical minor parties usually ascribe their small following to this condition. Many of the adherents of the Progressive party believe that its disappearance after 1912 was due in part to the same cause.

"Looking
for issues"

Cynics are accustomed to say that a party may survive without principles, merely by force of its organization, its traditional following, and the power of patronage. The most practical of practical politicians are, however, fully aware of the danger of such a situation. Usually they make vigorous efforts to extricate themselves by "looking for issues," as the popular phrase has it. For a party which appears to be without principles naturally falls a prey to the suspicion that it is nothing but a selfish combination of office seekers unable or unwilling to solve the problems of the day. And in our national politics at least a party which finds itself in this situation is in danger of a serious decline of power or even of a break-up. Thus inability to meet the slavery issue led to the disappearance of the old Whig party and hopelessly split the Democratic party prior to the Civil War.

Perma-
nence of
parties

As principles are considered to hold good over extended periods of time, parties inspired by them are presumed to be able to count upon a somewhat prolonged lease of life. With many transmutations and vicissitudes the present Democratic party can be traced back to the beginnings of our national life. In England the Liberal and Conservative parties can point to a continuous existence of more than two and a half centuries. It is said that every atom of a man's body is replaced by others in the course of seven years. A process of similar character goes on more slowly perhaps in the case of parties which persist through long periods. However the time element affords neither a definite nor a convincing

test of party character. Certainly none would deny this character to the Progressive movement of 1912, for example, simply because of its rapid disintegration thereafter. In the national campaign of that year it played a rôle of major importance and was fully equipped so far as candidates, platform, and organization were concerned, to perform all the functions of a party. True, it failed in its effort to gain control of the government, but success in this particular is not a necessary qualification for party standing. The Prohibitionists also furnish a case in point. As a matter of fact a party may remain in a minority throughout the greater part or even the whole of a long existence and yet perform every function characteristic of such an organization. Although the immediate aim of a party is to gain control of the government by placing a sufficient number of its own leaders in office, failure in this aim does not preclude the possibility of exercising a great and beneficent influence. From the social point of view, therefore, the immediate success or lack of it in the case of individual parties may be a matter of small importance. What is important is that such organizations shall contribute helpfully in the main to the development of national life. Taking this broader point of view, it is evident that parties which have but a small following or which endure for a short time only, may nevertheless be of great interest and significance.

The derivation of the word "party" (Latin, *pars*) calls attention to the fact that ordinarily the people of a country are divided into two or more political camps, each contending for the control of the government. Sometimes this is not the case. At the outbreak of the World War, for example, party strife was followed by a truce and an alliance in several of the belligerent countries. In our own country during the so-called "era of good feeling" (1816-32) there was only one party in the field. Apparently the great mass of the people of the country were in general agreement at this time as to the broad principles and policies upon which the government was to be conducted. To one who looks below the surface, however, the "era of good feeling" was in reality a "period of personal politics."³ Groups following rival leaders contended vigorously for office. But even at this time the prevalence of personal interest was not absolute. While each of these political groups professed allegiance to the principles of Jeffer-

Eras of
good feel-
ing

³ J. A. Woodburn, *Political Parties and Party Problems*, p. 31.

sonian Republicanism, it also sought to make distinctions concerning these principles which it regarded as of fundamental importance. In addition to party truces giving at least the semblance of unity for the time being, there remain to be considered the cases of post-war dictatorships in Europe, notably in Russia and Italy, where one party alone is permitted to exist.⁴

Parties
and class
interests

Except during such instances, however, a party is, as the derivation of the word itself implies, a part of the people, arrayed against other similar parts, each contending for the mastery of government. Hence it has been argued that the principles and policies of any one party, no matter how strongly they are advocated as an ideal guide for the whole conduct of the state, must in fact be only partial views strongly tinged with the particular interests of the group or groups making up the party. Therefore "the true end of a party," according to one writer—"the end . . . of which it is itself conscious—is, in ordinary times, to promote not the general interest, but the interest of a class, a section or some one of the many groups of citizens which are to be found in every state in which there is political life, an interest which is always something other—and generally, though not always, something less—than the national interest."⁵

Party denials
of class
interest

It is impossible to deny the general validity of this observation. In some cases a party frankly admits that it is made up largely of members of a certain class and that it is working primarily in the interests of that class. This is true, for instance, of the Communist party which, wherever it is organized, claims to be the party of the workers. It is substantially true also of a number of other parties in European countries where party division is carried to an extreme unknown in the United States. On the other hand our two principal parties which seek to make converts in all ranks of society naturally deny the accusation that they represent class interests. Nevertheless it is frequently urged against them by their radical opponents. There seems to be no reason, however, to doubt the sincerity of a party simply because it asserts that its principles and policies are designed in the interests of all. Each class in society wears its own spectacles and is usually unconscious of that fact in the observations it makes of political conditions.

⁴ Cf. p. 129 below.

⁵ Cf. A. D. Morse, *op. cit.*, p. 80.

Whether or not they admit the charge that they are dominated by class interest large parties and small parties alike maintain that the programs they advance represent the real interest of the state or of the people as a whole. The motive for so doing is obvious. Only by making the contention good or at least acceptable to a majority of the people can a party hope to attain power and maintain itself therein. Quite apart from self-interest, however, the assertion may be fully justified by the facts in certain cases. History records numerous instances when a given party has actually laid down principles and executed policies which were apparently in the best interests of the state at the time. In the case of a party containing a considerable majority of the people drawn from all social classes it is easily conceivable that the collective group interests which help to frame its platform may enumerate policies coinciding largely with the best interests of the people as a whole. And indeed the interests of a small class may conceivably coincide for a time with those of the state, especially if the class concerned is of superior intelligence or of superior political or economic ability. On the other hand, it is of course true that parties dominated by narrow class interest have at times torn an already decadent state to pieces. With the possible exception of such cases the formulation of principles and policies by political parties, even when tinged by class interests, is a public service, a public service, moreover, which parties alone render on an adequate scale.

Parties profess to act for the best interests of the state

The question may well be raised, however, whether there is not a certain unfairness in comparing actual party platforms with ideal platforms assumed to be in the best interests of the state. As a rule it is only the actual party platforms of the day, crude as they may be, which have sufficient power and organization behind them to determine what shall be done by government. Too often the so-called ideal courses of policy are discovered only by historians long after the event. If they exist contemporaneously it is only in the brains of philosophers or of a few *intelligentsia*, whence, indeed, they may emerge in due time to pervade and bless the commonalty. Unquestionably a great public service is thereby rendered, although in the end the ideas of the thinkers must be incorporated in actual party programmes before they may hope to be realized. As a matter of fact, however, actual party platforms and ideal formulations of policy do

Party platforms vs. ideal platforms

not compete with each other. To contrast the two to the disparagement of the former is, therefore, rather pointless.

Discipline
and toler-
ance of
parties

Like numerous other associations pursuing political ends either exclusively or as part of their activities, parties are voluntary associations. Rules, customs, traditions, discipline of a sort, and distinctions between leaders and followers they do, indeed, possess, but they are seldom enforced with the thoroughness and impartiality characteristic of the enforcement of law in a well-ordered state. In this genial tolerance lies one of the reasons for the peculiar affection in which the typical partisan holds his party. It seems so much closer to him, so much more human in its aims and struggles, than the stern, just, powerful, and far more distant state. In an extremely happy passage Professor Merriam has given expression to this feeling. "The party," he writes, "is in a sense a political church which does not require very regular attendance or very strict creed; but still it provides a home and it 'looks after' the individual if he pays the minimum of party *devoirs*, consisting in the acquaintance with and occasional support of some one of its lords, even though a minor one. Or, changing the metaphor, the party is a sporting interest, like a baseball team in which the individual is intensely interested from time to time. . . . He boosts his team; he bets on it; he rejoices greatly in its triumphs, and goes down with its defeats."⁶ Contrary to a wide-spread popular impression party members are not given over to bitter rancor and ceaseless contention among themselves. In this connection it must be remembered that whether or not "a good fight hallows any cause" it is fairly certain to make the first page of the daily papers with appropriate flaming headlines. On the other hand the gentler virtues are seldom treated as news except by obituary editors. Nevertheless "even in politics," as Professor G. E. G. Catlin finely observes, "there is the dear love of friends";⁷ indeed there seems to be rather more of it in a party than in the average church, business undertaking, club or college faculty.

Appeal of
parties for
members

Political associations other than parties are frequently somewhat exclusive as to their membership. Parties cannot afford to take such a stand. They can never have too large a following.

⁶ *The American Party System*, p. 402. Cf. also G. Wallas, *Human Nature in Politics*, p. 83.

⁷ *The Science and Method of Politics*, p. 220.

Naturally they are most interested in enrolling actual voters, but they by no means neglect other classes of citizens, or even individuals who have not acquired citizenship, particularly if the latter are soon to be added to the electorate. Thus we find parties encouraging the naturalization of foreigners, granting party representation to inhabitants of territories or colonies, and organizing clubs of young men soon to become first voters or of women in states which had not yet granted them the suffrage. Indeed there is scarcely a class, race, creed, group, or persuasion of any sort to which the partisan politician does not make a specialized appeal.

Although tolerant in their discipline and cordial in their invitations to prospective adherents, modern political parties are characterized by enormous and highly specialized organizations. In this respect they differ sharply from their prototypes of earlier centuries. "The parties of classic antiquity impress the reader of history, and still more the modern party manager, as unwieldy and undependable in the extreme. This is true particularly of the ancient democratic parties. The followers—it would hardly do to call them the supporters—of the Gracchi seem more like mobs than parties."⁸ In aristocracies or states with a limited suffrage the most important political conclaves often had much the character of family gatherings, and the political decisions reached by them took the form of what to-day would be called "gentlemen's agreements."

Organiza-
tion of
parties

So far as party organization is concerned, a veritable revolution was brought about by the extension of the electoral suffrage which occurred in the United States roughly between 1810 and 1840, and subsequently in Great Britain, France, Belgium, Norway, and other countries with liberal governments. To handle the hundreds of thousands and millions of new voters thus created, political managers were compelled to devise forms of organization of a capacity, extent, and flexibility hitherto unknown in the world's history. As to the practical efficiency of this modern political machinery there can be no doubt; indeed, this is made the chief point in the indictment against present-day parties. For with it there has come a certain preponderance of party organization as against party principles and a centralization in the hands of party leaders and bosses of powers subject to

Size and
efficiency
of modern
party or-
ganizations

⁸ A. D. Morse, *op. cit.*, p. 69.

misuse for corrupt interests and private ends. Nowhere in the world have these developments, both good and evil, occurred on a greater scale than in the United States. Unquestionably they present the greatest internal party problem which now confronts us.

Definition
of a political party

Summing up the various elements presented in the foregoing pages definition may now be attempted, as follows:

A political party is a voluntary organization of individuals or groups of individuals which *as its most distinctive function nominates certain of its leaders as candidates for public office*, supporting them in their efforts to obtain the same; also as a rule it advocates certain principles and policies as superior to all others for the general conduct of government, holding that the most immediate method of securing the realization of these principles and policies is the election of its nominees.

BOOK NOTES

ALSO

SOME SUGGESTIONS FOR THE FURTHER STUDY OF POLITICAL PARTIES⁹

ALTHOUGH there has been a great increase of interest in the subject of recent years, the number of general works devoted entirely to American political parties is still quite limited. Of those which rank as systematic treatises the most valuable is *C. E. Merriam, *The American Party System* (1929), which deals with the function of the political party in the community and examines the composition of parties "in terms of political and social forces, rather than of historical evolution or of political mechanism." Earlier general works in this field are: P. O. Ray, *Introduction to Political Parties and Practical Politics* (2d ed., 1917); M. Ostrogorski, *Democracy and the Party System in the United States* (1910), being an abridgment of the second volume of his earlier extended work, *Democracy and the Organization of Political Parties* (2 vols., 1902); J. Macy, *Party Organization and Machinery* (1904); and J. A. Woodburn, *Political*

⁹ No effort has been made to include all works on the subject in the Book Notes following each chapter. Preference has been given to the more useful books of recent date in the English language, although a few foreign works of exceptional importance have been included. In several of the lists the one or two works of each class which, in the experience of the author, have proved most useful to students, are designated by an asterisk. Those who desire to provide themselves with a small working library on American political parties may find these indications helpful in starting their collection.

Parties and Party Problems in the United States (1903), which is still of great value, particularly for its historical chapters (I to VIII, inclusive). C. L. Jones, *Readings on Parties and Elections in the United States* (1912), is a collection of well-chosen materials in this field. Publication is announced for 1933 of J. McGoldrick, *A Scrap-book of Politics*, which is rich in illustrative clippings and other excerpts of recent date. Since the appearance of the first edition of this work, the following text-books have appeared: E. E. Robinson, *Evolution of American Political Parties* (1924); H. R. Bruce, *American Parties and Politics* (1927); S. Lewis, *Party Principles and Practical Politics* (1928); and E. McC. Sait, *American Parties and Elections* (1928). For general reference purposes the most extensive and helpful work is A. C. McLaughlin and A. B. Hart, *Cyclopedia of American Government* (1913). It is to be assumed without further repetition, except when justified by the special merit of some contribution, that the foregoing books may be consulted with profit in connection with the topics dealt with in every chapter of the present volume.

Special articles in periodical literature are referred to copiously in footnotes, frequently with some comment as to their value. Students should be encouraged—required would be better—to read one or more metropolitan daily newspapers, preferably of differing political faiths, for current political news, on which they should be held responsible from day to day for oral or written comment. Because of the excellence of its news service, particularly the frequency with which it prints important public documents in full, the *New York Times* is of unsurpassed educational value and should be available in every college library. Since 1925 the *Baltimore Sun* has become widely known both for trenchant editorials and for valuable special articles contributed by Frank Kent and other experts on political subjects. Also the *St. Louis Post-Dispatch* deserves special mention, particularly because of the ability displayed in its editorial columns. Among chain papers the Scripps-Howard issues are well above the average. Reading by students of such “journals of opinion” as the *New Republic* and the somewhat more radical *Nation* is also to be advised—with the proviso, however, that they be encouraged to develop a critical attitude of their own rather than the habit of swallowing editorials whole. Students interested in the social aspects of current problems may be referred to the bi-weekly *Survey*. Summaries of news and opinion are presented by *Time*, the *Literary Digest*, and the *Outlook and Independent*. Occasional political articles of merit are to be found in such popular magazines as the *American Mercury*, *Atlantic Monthly*, *Current History*, *Forum*, *Harper's*,

North American Review, *Review of Reviews*, and *Scribner's*. Three quarterlies, the *American Political Science Review*, the *Annals of the American Academy of Political and Social Science*, and the *Political Science Quarterly*, deal with the scientific aspects of public questions. In much the same manner a monthly, the *National Municipal Review*, is devoted primarily to city affairs but it presents occasional articles also on state and national topics.

In connection with courses in American political parties the reading of well-chosen political novels can be made as stimulating as is the reading of historical novels in connection with history courses. A number of the more significant of such works of fiction are cited in the Book Notes given under various chapters below. For a more complete list, with critical comment, including poems and essays as well as novels, the reader is referred to C. E. Merriam, *American Political Ideas* (1920), Ch. XIV.

More interesting than novels, and of course more useful, are the biographies of political leaders who have participated in recent campaigns, provided they are critical in character. Biographies in party text-books and other works of pure laudation are valuable chiefly as samples of campaign "literature." The author has found the following most helpful in enabling students to grasp the motives that sway men in politics: *H. Croly, *Marcus Alonzo Hanna* (1912); Tom L. Johnson, *My Story* (1913); Brand Whitlock, *Forty Years of It* (1916); *Anna Howard Shaw, *Story of a Pioneer* (1915); T. Roosevelt, *Autobiography* (1913); W. D. Lewis, *The Life of Theodore Roosevelt* (1919); Champ Clark, *My Quarter Century of American Politics*, 2 vols. (1920); W. E. Dodd, *Woodrow Wilson and His Work* (1921); *H. F. Gosnell, *Boss Platt and His New York Machine* (1924); W. B. Munro, *Personality in Politics* (1924); *F. C. Howe, *Confessions of a Reformer* (1925); C. E. Merriam, *Four American Party Leaders* (1926); C. Seymour, *Intimate Papers of Colonel House*, 4 vols. (1926-28); M. R. Werner, *Bryan* (1929); P. Hibben, *The Peerless Leader, William Jennings Bryan* (1929); **Autobiography of Calvin Coolidge* (1929); Donald Richberg, *Tents of the Mighty* (1930); *H. F. Pringle, *Theodore Roosevelt, a biography* (1931); *R. S. Baker, *Woodrow Wilson—Life and Letters*, 4 vols. (1927, 1931); *Lincoln Steffens, *Autobiography* (1931); and *W. G. McAdoo, *Crowded Years* (1932).

At all times it must be impressed upon students of parties that politics is life, not simply literature. They should be encouraged to attend campaign meetings, conventions, caucuses, conferences of reform and other organizations, also sessions of legislative bodies, courts or administrative boards; to write statements of fact, fol-

lowed by comment, on the speeches and proceedings at such gatherings; to interview candidates and leaders; and finally to compare what they have learned or written with the accounts which appear in newspapers.

Certain features of the system of reading for honors instituted at Swarthmore College a decade ago have proved unusually successful in dealing with the subject of political parties. For example, in addition to a liberal number of prescribed books the honors student is introduced to virtually unlimited quantities of collateral materials, including many original documents. So far as the collateral is concerned he is left a wide range of choice, with the understanding, however, that final decision as to the quality of his work will depend largely upon the extent and thoroughness of his independent reading. Also the student must prepare one or two papers a week either on topics selected from required or collateral sources or in the form of reviews of significant books within his field of concentration. These papers or reviews are read before small groups, usually composed of five or six undergraduates with one or two instructors present, and are made the basis of extremely frank and critical discussion.

Of course the large classes customary in most American colleges and universities would make such a plan impracticable in all its details; nevertheless the author is convinced that one of its features in particular is of such value that it should be followed generally. The tyranny of a single text-book, no matter how great its merits, is crushing. Many subjects, among them that of politics preeminently, become vital only from the clash of opinion which is inseparable from their practical application. For that reason in the course of the semester usually devoted to political parties students should be required to read not only the prescribed text-book on the subject but at least two or three other books, preferably not of the text-book variety, preparing reviews, chiefly critical in content, on the latter. As a matter of fact, once introduced to literature of so fascinating a character, many students voluntarily read much more than the minimum requirement, so that it is scarcely necessary to encourage them by extra credit, higher marks or any other conventional academic rewards. Review papers may or may not be graded; in any event they should be read and annotated carefully by the instructor, perhaps supplemented by criticism and counter-arguments and by suggestions for further reading along similar lines.

As to form and content of book reviews, the most helpful reference work to place in the hands of students is the mimeographed *Book of Book Reviews*, prepared by Walton Hamilton and others at the Brookings Institute in 1926. Throughout the Book Notes

which follow each chapter in the present volume works of unusual importance or interest are marked with asterisks. With few exceptions these have proved admirably adapted for assignment to students both for collateral reading and for review writing.

Particularly helpful are the biographies and autobiographies cited above, also the more realistic treatises which are quoted following the chapter on Machines and Bosses. Aristotle was quite right in his observation that "a young man is not a proper hearer of lectures on political science; for he is inexperienced in the actions that occur in life, but its discussions start from these and are about these."¹⁰ One can learn about the "actions that occur in life" from experience, of course, but that is a terribly slow and often painful process. Apparently the only method of hurrying it forward is by the reading of biography. In politics this means the study of leaders, the moving spirits and assertive types.¹¹ Fortunately that is one kind of study which the young pursue with the utmost avidity, partly no doubt because they see their own future prefigured in the lives of leaders. Regardless of this ego-centric interest nothing is more helpful to their understanding of the actors and actions upon the great stage of politics.

In addition to book reviews students may be set to work profitably on the peculiarities of local practice regarding party organization and leadership, primary or convention system, campaign methods, campaign funds and corrupt practices acts, election laws, initiative and referendum, recall, and the like. Official documents on these topics are usually to be had for the asking; properly approached local leaders are almost invariably willing to talk freely on their experiences.

No one is more fully aware than the author that the assignment of such topics to students means strenuous work on the part of the instructor. Let the latter console himself with the reflection that by employing this method he gains two important ends—first, he enormously increases the interest and effectiveness of his class work; second, he greatly extends his knowledge of the subject, particularly as to its practical applications, by adding thereto the information brought in by his students.

On the specific topic discussed in Ch. I—namely, the nature of political parties—references may be found in the systematic treatises on American political parties listed, and also in the following: G. Bradford, *The Lesson of Popular Government*, Ch. XXI; J. Q.

¹⁰ *Nicomachean Ethics*, tr. by W. D. Ross, Bk. I, 3 (1095a).

¹¹ Cf. G. E. G. Catlin, *The Science and Method of Politics*, pp. 230, 232.

Dealey, *The State and Government* (1921), Ch. XX; R. G. Gettell, *Introduction to Political Science* (1910), Ch. XXI; A. N. Holcombe, *State Government in the United States* (rev. ed., 1928), Ch. VII; L. H. Holt, *Introduction to the Study of Government* (1915); S. Leacock, *Elements of Political Science* (1913), Ch. VIII; and W. Wilson, *Constitutional Government in the United States* (1908), Ch. VIII. The most original and thorough discussion of the definition of political parties from the pen of an American writer is to be found in an article by A. D. Morse, "What Is a Party?" in the *Political Science Quarterly*, Vol. XI, p. 68 (March, 1896), which has been reprinted in a valuable collection of his papers entitled *Parties and Party Leaders* (1923).

CHAPTER II

PARTY DESIGNATIONS AND CLASSIFICATION

Popular
choice of
party
names

THE names chosen by parties to designate themselves are seldom accurately or comprehensively descriptive. Practical politics develops a racy vernacular replete with slang. From this source many party titles of greater or less vogue have been drawn—witness our “Quids,” “Loco-Focos,” “Know-Nothings,” “Hunkers” and “Barnburners,” “Stalwarts” and “Half-Breeds,” “Snappers” and “Anti-Snappers.” As in the case of certain religious sects, nicknames maliciously invented by enemies are sometimes assumed defiantly by parties and afterward borne with pride. Such was the origin of the names of both the Whig and Tory parties in England.¹

Small
descriptive
value of
party
names

Even when the title chosen is a word formerly possessing a definite political meaning, it may nevertheless throw little light on the character of the party assuming it. Of course the task of selecting a name is much easier in the case of parties devoted to a single issue, as, for example, our Greenbackers and Prohibitionists. But no single title can do justice to parties advocating a wide range of policies. Certainly there is little of descriptive value in the terms Republican and Democratic as used in our national politics. The Democrats of to-day are the lineal descendants of those who in Jefferson's time called themselves Republicans. By their Federalist opponents they were dubbed Democrats or Democratic-Republicans, in scorn and derision. At the present time so-called Democratic parties also exist in a number of European countries, but they have no connection whatever with the party bearing the same name in the United States and differ from it widely both in composition and in purposes. The terms Radical, Liberal, Moderate, Progressive, and Conservative are also much in favor as party names. In their general significance each of these has some value as indicating a certain attitude to-

¹ Whig from whigamore, a name applied to peasants in the west of Scotland, was intended to suggest a Covenanting rebel; Tory, a word suggesting a Popish thief in Ireland! Cf. Jesse Macy, *The English Constitution*, p. 309.

ward political innovation. As party names, however, they are used very loosely. Parties calling themselves Liberal differ widely from country to country, and the same is true of each of the other terms in the above list. On the other hand, it is true that Socialist and Communist parties pursue fairly definite common aims in all countries and have established international connections.

In popular speech a number of terms are used more or less exactly to characterize partisan organizations. Thus a distinction is drawn frequently between a party and a faction. Originally the two words were synonymous; indeed, they are so used occasionally at the present time. In his famous dictionary Doctor Johnson defines "faction" as "a party in the state," and also quotes it without qualification of any sort as an equivalent for the word "party." At that time both terms were in ill repute. With the extension of the activities and the purification of the aims of parties that came in the nineteenth century the latter word gradually lost its offensive significance and became first reputable and finally even creditable. Meanwhile all the evil and opprobrious connotations descended upon "faction," which is currently associated with the ideas of dissension, intrigue, unscrupulousness, self-seeking, recklessness of the common good, and subversive designs upon the government. With more or less animus the word is also employed at times to designate the groups into which a party is divided before or after a split by rivalries between its leaders or by clashes of economic, sectional, or other interests.

Another distinction commonly made is that between the "ins" and the "outs"—that is, between the party or parties supporting the government and those in opposition. Where these rôles are reversed from time to time the distinction may seem to be of slight value. As a matter of fact, however, it involves considerable differences both of outlook and of activity. The "ins" are inclined to be optimistic in temper and defensive in tactics, while the "outs" are apt to be pessimistic and aggressive. When political conditions bring about a long retention of power by one party and the consequent exclusion of its opponent, these psychological and tactical differences become quite sharply defined.²

In the various countries of continental Europe the terms

² For a penetrating analysis of Democratic and Republican traits along the line indicated above, cf. W. Wells, *Wilson the Unknown*, p. 303.

"Right,"
"left" and
"center"

"Right," "Left," and "Center" are frequently employed to designate conservative, radical, and moderate parties, respectively. The usage arose from the practice of assigning parliamentary seats, which are arranged semicircularly in the legislative halls of these countries, so that the conservative representatives were placed to the right of the speaker, the radicals to his left, and the moderates in the center. When party divisions are numerous such terms as "Right Center," "Left Center," "Extreme Right," and "Extreme Left" come into use.

"Haves"
and "have
nots"

According to another popular saying the struggle between the "haves" and the "have nots" is the basis of all party divisions. In scientific phraseology Karl Marx and his followers have greatly elaborated this idea. They conceive the Communist party as representative of the proletarian masses, and lump all other parties together, regardless of their widely diverging aims, as more or less frankly representative of the capitalist class.

Constitu-
tional and
revolu-
tionary
parties

Parties are also frequently classified in the countries of continental Europe as belonging to two groups—first, those which uphold the existing state (*Staatserhaltendeparteien*), and, second, those which desire to overthrow it (*Umsturzparteien*). Thus under the former German Empire the Social-Democrats, and the Polish, Danish, and Alsace-Lorraine parties belonged to the second and all other parties to the first of these groups. Parties opposed to the existing state order may favor violence more or less openly, or they may confine themselves to strictly legal methods of securing constitutional changes. As the German illustrations cited above show, they may aim either at a fundamental transformation of the existing order such as that from capitalism to socialism or from monarchy to democracy; or they may seek simply to separate themselves from the state in order to enter another, as did the Polish, Danish, and Alsace-Lorraine parties. Parties which favor maintenance of the existing order are not necessarily members of the coalition or "bloc" temporarily supporting the government. While they accept the constitution as a whole they may favor its amendment in important particulars, always, however, by strictly legal methods.

Opportu-
nist parties

The word "opportunist" is occasionally used in American politics, nearly always in a bad sense as implying a trimmer or one willing to sacrifice consistency to expediency and principles to

policies. It enjoys a better fame in France, for by the efforts on more than one occasion of so-called opportunists the present Republic was saved from overthrow. As a matter of fact an opportunist may be as sincerely devoted to his principles as a member of any other party, all the more so, indeed, because he is unwilling to jeopardize them by hasty and sweeping action. As regards policies, however, he considers it wise and prudent to distinguish between those which are ripe for adoption in their entirety or not subject to compromise, and, on the other hand, those which may be attained gradually, or postponed for the present, or made the basis of compromise with other parties. In this better sense of the word not only our two major parties, but the Socialists as well, may be said to have pursued an opportunist policy on many occasions.

Directly opposed in beliefs and methods to opportunists are the irreconcilables or intransigents of politics. The latter conceive their program to be of such supreme importance that they reject all compromise and insist upon its immediate adoption as a whole. Naturally this attitude is frequently made the butt of derision or reproach. It is impossible, however, to doubt the sincerity of irreconcilable parties since membership in them usually requires much greater courage than membership in more tolerant political organizations and offers less prospect of office or reward of any kind. Often they have advocated violence, but this is not necessarily the case. Indeed, at times the only course of action open to them has been that of passive resistance. There have been many intransigent parties in European countries, most of them devoted to what seemed hopelessly lost causes. Yet some of them have gained their ends, especially at times of general unsettlement, and contributed to the world's advance thereby. Following the Great War the map of Europe was redrawn and its political systems readjusted largely along lines formerly advocated by various intransigent parties. In the United States the Prohibitionists have consistently pursued an irreconcilable policy in the non-violent sense of the term.

In contrast with the more or less popular distinctions noted above, historians and philosophers have often attempted to point out fundamental bases of party division. Thus in discussing the origin of the two great English parties Macaulay wrote:

Irreconcilables or intransigents

Macaulay's classification of parties

In one sense, indeed, the distinction which then became obvious had always existed, and always must exist. For it has its origin in diversities of temper, of understanding, and of interest, which are found in all societies, and which will be found till the human mind ceases to be drawn in opposite directions by the charm of habit and the charm of novelty. . . .

Everywhere there is a class of men who cling with fondness to whatever is ancient, and who, even when convinced by overpowering reasons that innovation would be beneficial, consent to it with many misgivings and forebodings. We find also everywhere another class of men sanguine in hope, bold in speculation, always pressing forward, quick to discern the imperfections of whatever exists, disposed to think lightly of the risks and inconveniences which attend improvements, and disposed to give every change credit for being an improvement. . . . If in her [England's] institutions, freedom and order, the advantages arising from innovation, and the advantages arising from prescription have been combined to an extent elsewhere unknown, we may attribute this happy peculiarity to the strenuous conflicts and the alternate victories of two rival confederacies of statesmen, a confederacy zealous for authority and antiquity, and a confederacy zealous for liberty and progress.³

Defects of
Macaulay's
classification

Interesting as is this bit of theorizing, it is characterized by frequent shifts of terms that would cause any logician to tear his hair; moreover it manifestly does not begin to do justice to the large variety of political inclinations existing among mankind. In countries with a two-party system one of the two may be presumed to take a more favorable attitude toward innovation than the other. Sometimes, however, it is difficult to decide this point between them, as in the United States to-day, where each of the two great parties frankly propose innovations of a minor character along somewhat different lines. As regards liberty and authority also party attitudes are not always clearly defined. And respect for antiquity as a basic party principle is much less frequently avowed nowadays than in the times of which Macaulay wrote. Finally in countries with a multi-party system—and they are much more numerous than those on a bi-party basis—the theory breaks down entirely.

Rohmer's
theory of
parties

A more elaborate theory of party divisions was propounded in 1842 by Friedrich Rohmer.⁴ According to this writer the natural

³ *History of England*, vol. i, ch. i.

⁴ The theory was first presented in the *Beobachter aus der östlichen Schweiz*, and later published by Theodor Rohmer, brother of the above, under the title,

causes of political parties must be sought in the laws governing the development of the human soul. This development exhibits itself throughout the various stages of life—boyhood, young manhood, mature manhood, and old age—in the succession of which fundamental changes of mind and character occur. Of these four stages the two most important are young manhood and mature manhood. During both of these stages full possession of the active powers of the soul is enjoyed. Young manhood, however, is peculiarly the period of generation and creation. Mature manhood, on the other hand, is the period of orderly arrangement and preservation. To these two types of mind and character correspond respectively Liberalism and Conservatism in politics.

As representative of the full development of the manly powers Rohmer assigns the natural leadership in the state to these two parties. Opposed to them, although of less importance, there are two extreme parties, corresponding respectively to the stages of boyhood and of old age. Boyhood is characterized by a susceptible and observant eye, a lively imagination, and a receptive mind, but it lacks perspective and creative power. In politics the counterpart of this period is Radicalism. Old age brings to the forefront the passive and feminine powers of the mind, characterized by irritability of feeling, quickness of combination, and fineness of conception. The Absolutist party in politics presents the same distinctive traits.

Radicals
and
Absolutists
opposed to
Liberals
and Con-
servatives

In accordance with this theory it would seem that every individual of normal development should, if he lived long enough, belong successively to the Radical, Liberal, Conservative, and Absolutist parties. To critics who urged this objection it was replied that such, indeed, was the normal tendency of men in the mass. At least the inclination of younger men toward liberalism and of older men toward conservatism has been commented upon by many observers. Owing to differences of individual character, however, the complete fourfold development outlined by Rohmer is arrested in some cases, hastened in others. Certain individuals remain boys in character, and therefore Radical in politics, all their lives. Others are prematurely aged in character and for that reason attach themselves permanently to the Absolutist party

Exceptions
to normal
develop-
ment ac-
cording to
Rohmer

Lehre von den politischen Parteien, Zürich, 1844. See also J. C. Bluntschli, *Character und Geist der politischen Parteien*, pp. 82 et seq.

in young manhood or even in boyhood. Moreover, actual party lines rarely coincide sharply and clearly with the fourfold division required by the theory, although Rohmer's supporters attempted to show that they were potentially present even when not plainly visible. Owing to this blurring over of natural party lines the choice of parties in accordance with types of character is more or less obscured.

Criticism
of
Rohmer's
theory

Interesting as is Rohmer's theory, it offers numerous openings for attack. Radicals and Absolutists naturally object to the aspersions of juvenility and senility respectively which it casts upon them. Neither will they admit that their parties are of an inferior class as compared with the Liberals and Conservatives, nor resign to the latter leadership in the state. Indeed, from the Radical and Absolutist points of view Liberalism and Conservatism are nothing more than weak-kneed imitations of themselves, and therefore quite incapable of meeting adequately grave public emergencies, as indeed has sometimes proved to be the case. Rohmer's account of the mental changes caused by advancing years is far from being either sufficient or convincing; in particular his remarks regarding old age seem fantastic. Whatever part psychological changes due to the passage of time may play in determining political affiliations is manifestly outweighed in the case of many individuals by the influence of other factors. Among these the factor of predominant importance in the modern world is economic circumstance; however race, religion, geographic environment, historical tradition, social standing, education, family descent, and personal loyalty to leaders must all be taken into account. Any reader who is sufficiently interested in the matter may test out Rohmer's theory by attempting to account for his own political affiliations, first, on the basis of the age group to which he belongs; second, on the basis of factors listed in the preceding sentence.⁵

⁵In fairness to Rohmer it should be said that his theory deals only with purely political parties. Bluntschli recognizes various lower or impure grades of parties, that is such as contain other than political elements, namely: (1) religious-political mixed parties; (2) parties resting upon geographical, national, or racial differences; and (3) parties standing for a certain social class—*e.g.*, patricians or plebeians; clergy, nobility, or commonalty. Continuing this classification, he differentiates political parties proper as (4) those which differ on constitutional grounds—*e.g.*, royalists and republicans; aristocrats and democrats; feudal and constitutional; unitary and federalists; nationalists and particularists; centralizing and decentralizing; (5) government and opposition

In contrast with Rohmer's age-group-psychological theory the economic determinists have a much stronger position. Nevertheless the latter may be too forcibly stated or it may err by leaving other factors out of account. There is such a thing, of course, as a farmer vote, a labor vote, a business vote in American politics, although each fluctuates considerably from campaign to campaign. Orators appeal to workers as a class but there are many kinds of laborers from the highly skilled and well paid who are inclined to conservatism as a rule, to the casual and unskilled who may at times be ready for radical action. Capitalists are referred to as if they were all as much alike as the cartoonists sketch them. In fact they range from multi-millionaire members of interlocking directorates to small mill owners operating with two or three helpers on funds borrowed from the local bank. Merchants who import foreign commodities and domestic manufacturers of the same kind of goods are equally capitalists yet they take directly opposite views of the tariff and are likely to vote different tickets in elections. Nor are cases at all uncommon where economic groups have misconceived their own political interests over considerable periods of time.⁶ It is extremely difficult, for example, to explain why, among farmers, so many grain growers incline toward protection while so many cotton and tobacco growers favor a policy of free trade. And everywhere as noted above considerations of race, religion, tradition, sectionalism, and the like conflict with or reinforce economic motives in determining actual party membership.

In spite of all the ingenuity expended by the advocates of Rohmer's theory it cannot be shown that there is any general tendency in practice to set up a fourfold division of parties. True that situation has existed for many years in Switzerland, and it did exist for a time in Germany after 1866. The nearest approach to such a division in the history of the United States was during the campaign of 1912 when Republicans, Democrats, Progressives, and Socialists opposed each other. In none of these instances, however, were divisions drawn throughout

parties; and (6) pure political parties—*e.g.*, liberals, conservatives, etc. Cf. *op. cit.*, pp. 16-27.

⁶ Charles A. Beard writes briefly on this point in *The American Party Battle*, pp. 5-13; A. N. Holcome deals with it virtually on every page of his *Political Parties of Today*, ch. III being devoted to it in particular.

Economic
circum-
stance

No general
tendency to
fourfold
party divi-
sion

along the lines indicated by Rohmer. Certainly any tendency there may be to revert to a fourfold-party basis is less strong than the two-party tendency in England and the United States. In most of the countries of continental Europe there are more than four well-defined parties, and as a rule the tendency is toward further cleavage.

Value of
terms used
by Rohmer

However inadequate Rohmer's attempted classification of parties may be, the terms which he employs therein enjoy a wide although somewhat uncertain vogue as descriptive of party purposes. Of course their meaning in any given case depends largely upon the political system to which they are applied. Thus a party described as radical under a monarchical government might pursue the same ends as a party described as conservative under a republican government. Like so many other words in the lexicon of politics, most of Rohmer's terms have been used as epithets of ridicule or reproach. Despite the difficulties involved it may be worth while to attempt to develop their meanings as generally accepted at the present time.

Conserva-
tism

A conservative party may be defined as one which stands upon the principle of stability. Believing in the soundness of the existing order, its efforts are directed to the maintenance of the *status quo* and in opposition to innovation which it considers dangerous to the state.⁷ To use an illuminative American phrase, conservatism "stands pat." In an extreme or unfavorable sense conservatism is held to be opposed to all progress.

Liberalism

Liberal parties are based upon the principle of progress. They accept the existing order to a greater or less degree, but advocate reforms which they consider necessary to lift it to a higher plane of justice or efficiency.

Radicalism

Starting from the conviction that the existing order is fundamentally wrong, radicalism proposes first to destroy everything of an obstructionist character and then to rebuild in accordance with its own program. There is no more exquisite formulation of this attitude than Omar's

Ah Love! could you and I with Him conspire
To grasp this sorry Scheme of Things entire,

⁷In addition to the above type, which he calls the "positive conservative," A. Christensen distinguishes the "negative conservative," who "also does not want any alteration, but only in view of the fact that, while things are altogether in a bad way, yet that no improvement is possible." Cf. his *Politics and Crowd Morality*, p. 5.

Would not we shatter it to bits—and then
Remould it nearer to the Heart's Desire!

The term "Absolutist," which is the fourth in Rohmer's classification, defines itself. Unlike the other three, it is so specific in meaning that it scarcely seems to belong in the series. Doubtless for this reason the more general term "Reaction" has been suggested in its place.⁸ Just as radicalism goes to the left of liberalism, so reaction goes to the right of conservatism. At any given time and place conservatism represents a fixed point in the political scheme—the defense of things as they are. In common with both liberalism and radicalism, reaction stands in opposition to the existing order. But while the former two desire to advance with greater or less speed, reaction finds its ideal in the past and works for a reversal of existing tendencies or conditions. The various French parties which under the present Republic have advocated a return to one or the other kinds of monarchy formerly prevailing in that country are, therefore, typical reactionary parties. In our own politics reversion to a former state of affairs has sometimes been suggested as a solution for a given problem. Thus there are those who believe some earlier tariff level or price level to have been ideal, or who advocate a return to competition as opposed to the recognition of trusts and monopolies, or who would give up direct primaries and restore the old convention system. But none of our parties has ever frankly accepted reaction in general as its central principle. And the candidate who is called a "reactionary" in the course of an American political campaign is certain to show resentment.

Absolutism
and reac-
tion

States and governments are usually classified according to the forms of organization which they exhibit. Attempts to classify parties, on the other hand, are nearly always based on the character of the ends which they pursue. The public is naturally more interested in the propaganda of parties than in the organization which originates it, so much so, indeed, that only recently have the extent and influence of the latter begun to be evaluated critically. And most of the nomenclature of parties

Parties
classified
according
to ends, not
forms

⁸ A. L. Lowell, *op. cit.*, vol. ii, p. 9. Bluntschli recognizes that "political absolutism in our [nineteenth] century is ordinarily reactionary." *Op. cit.*, p. 153. However, with the advent of dictatorships in the twentieth century absolutism is being presented anew to the world as the sole means of political salvation, incidentally making its strongest appeal to the younger generation!

is drawn from popular sources. A further reason for the different bases of classification may be found in the fact that while states and governments pursue much the same general aims they show great variations in organization, making it easier to classify them on the latter basis. Parties, on the other hand, differ from each other much more widely in the ends they pursue than in the structures they develop—hence apparently the tendency to classify them on the former basis.

Michels' theory

The essential similarity of party structures the world over has been made the starting point of an extremely interesting and comprehensive study by Professor Robert Michels of the University of Perugia.⁹ Under democratic conditions, according to this writer, an "iron law" of sociology brings about the formation of an oligarchy in every political party regardless of the nature of the doctrines it professes. The tendency to oligarchic leadership rests, first, on individual psychology; second, on the psychology of the crowd; and, third, on the social necessities of party organization. Under the first of these Professor Michels includes the individual's consciousness of his own importance which with opportunity develops into a natural human lust for power, and also such other individual qualities, original or acquired, as native tact, oratorical gifts, editorial skill, special intelligence, and so on. Persons who possess these qualities push forward rapidly to places of power in political organizations. As factors of crowd psychology favoring oligarchy Michels notes the incompetence of men in masses, their dependence upon traditional methods of party government, and their admiration for leaders, particularly for such as may have suffered for the cause. Finally, various social necessities contribute to the same end. One of these is the physical impossibility of direct self-government in large party groups; another the constant state of contention in which parties engage with other parties and, if they are revolutionary in character, with the existing order itself, making strong power in the hands of a few leaders a condition of success or even of survival.

Party oligarchies

In the beginning of a party's life, according to Professor Michels, leadership may be weak, diffuse, and voluntary. But as membership increases, the pressure of the factors noted above places larger and larger powers in the hands of a small number

⁹ R. Michels, *Political Parties*, translated by E. and C. Paul.

of men. Often the latter become permanent holders of all controlling party offices and develop special interests of their own—in other words, an oligarchy is virtually established. Such leadership is certainly experienced and may be efficient, well informed, almost professional in its qualifications and methods, but it is also likely to become cautious, conservative, intent above all else to preserve its personal power undiminished, and, if possible, to increase it. All party struggles, therefore, resolve themselves into struggles between the oligarchy of the party in control of the state and the equally narrow oligarchies of the parties striving to dispossess the former. Sometimes by a sweeping victory or by revolution the latter get rid of all the former dominating oligarchs at once, which means simply that a new oligarchy has taken complete possession of the state. Or the oligarchy of an emerging party may compel the oligarchy of the dominant group to cede it a small number of ministerial posts, and, if its power continues to increase, may acquire ultimately a majority of such offices, and hence a controlling influence over the government. Under any of these contingencies, however, the government, regardless of its apparent form, is actually an oligarchy, and all parties, no matter how democratic or even socialistic their professed principles, are likewise under the control of oligarchies.

As a mere exercise in logic it is, of course, an easy matter to maintain the proposition that all forms of government, whether in states, parties or any other kind of social group, are oligarchic. But this does not wipe out the real distinctions that exist among them as to the number exercising political power, the manner in which public authorities are constituted, the various ways in which they exercise their functions, the degree of control exercised by the masses through elections, primaries, the initiative and referendum, the part played by public opinion, and so on. In a similar way the sweeping proposition that all parties are oligarchic may be used to obscure the actual differences that exist among them.

Nevertheless it is true that the tendency to centralize party control, which Professor Michels points out, is both powerful and widely felt. Among the democracies of the world it has made itself most manifest in the United States. Indeed, with us it often exceeds the limits of oligarchy, with the result that we find ourselves confronted with that species of party dictatorship

Criticism
of Michels'
theory

Party
oligarchy
in the
United
States

known as bossism. But bossism and party oligarchy are always under fire from the moment of their first appearance. The chief weakness of the Michels theory is its failure to take into account the fact that centralization of party power breeds its opposite. Thus in the United States machines and bosses have found themselves faced by various forms of counter organizations—-independent and third-party movements and factions within the organization itself.¹⁰ It must be admitted that they make a stout resistance and have shown a power of recuperation under defeat that has proved disheartening to many of their opponents. The fight is by no means ended, however, and there is good reason to believe that as a result of our awakened citizenship and various reforms already adopted or under discussion, such as the merit system, direct primaries, the short ballot, corrupt practices acts, and the application of the initiative, referendum and recall to party management, a satisfactory degree of democracy may be attained in the affairs of political parties. Nor is undue pessimism justified by an historical view. Oligarchic control was more marked, more unscrupulous, and harder to dislodge in eighteenth-century English parties than it has been at any subsequent time either in England, the United States, or the more liberal countries of continental Europe.

Opposition
to party
oligarchies

No doubt small coteries of powerful leaders have sought and still seek to advance their own interests as far as possible through the manipulation of party machinery. But this does not mean that they can neglect and override at will the interests of their own followers or of the wider public. Frequently, indeed, it is only by advancing these interests that they can succeed in their more personal aims. The great contributions made by parties to liberalism, to constitutional reform, and to a more democratic suffrage during the nineteenth century would of themselves seem sufficient to justify this view. If oligarchic party leaders proved themselves incurably selfish, free peoples would speedily find other means to give expression to their will. That they have not done so; that, on the contrary, parties have grown constantly in numbers and power to the present day, is convincing evidence that on the whole they have been found acceptable instruments of popular rule.

¹⁰ Cf. C. E. Merriam, *American Party System*, p. 89; also this book, ch. ix.

BOOK NOTES

ON PARTY designations and classification the work of T. Rohmer, *Lehre von den politischen Parteien* (1844), is fundamental. Supplementary to this, J. K. Bluntschli, *Character und Geist der politischen Parteien* may also be consulted. *A. L. Lowell, *Public Opinion in War and Peace* (1923), presents a penetrating analysis of radicals, liberals, conservatives, and reactionaries. The brilliant work of R. Michels has been translated under the title of **Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracies* (1915). In this connection the student should also consult *C. E. Merriam, *The American Party System* (rev. ed., 1929), especially the discussions of party leadership in Ch. II. Other references of value may be found as follows: Léon Jacques, *Les Partis Politiques* (1913); A. Christensen, *Politics and Crowd Morality* (1915), Ch. I; G. L. Dickinson, *A Modern Symposium* (1905); M. Ostrogorski, *Democracy and the Organization of Political Parties* (1902), Vol. I, Part II, Chs. I and II; G. Wallas, *Human Nature in Politics* (1909), Ch. II; J. A. Woodburn, *Political Parties and Party Problems in the United States* (1903), Ch. I; and article by W. J. Shepard on "The Psychology of the Bi-Party System," in *Social Forces*, Vol. IV, pp. 795-804 (June, 1926); and *W. B. Munro, *Personality in Politics* (1924).

CHAPTER III

CONDITIONS OF PARTY LIFE

Parties a late development historically

CONSIDERING the history of the world as a whole, political parties are an extremely late development. Nor are they by any means universal at the present time. Countless generations of mankind have existed without organizations that could properly be called political parties. To millions of human beings living in Asia and Africa they are equally unknown at the present time. When we contrast this condition of affairs with the prominence and importance of political parties in other countries the question naturally arises, What conditions favorable to party life, on the one hand, and unfavorable on the other, can account for such wide extremes?

No parties in primitive societies

It is customary to refer the existence of parties to human nature itself. To explain their absence on the same basis would be nearer the truth. A reconciliation of these apparent contradictions may be found in the statement that in primitive and undeveloped states of society conditions unfavorable to party life are dominant. Not until societies are highly evolved do contrary conditions become powerful enough to lead to the formation of parties.

Early conservatism

With few if any exceptions political parties advocate changes of greater or less extent.¹ But to undeveloped races innovation

¹ So-called conservative parties seldom plant themselves absolutely on the *status quo*. Originally they made much more of the principle of antiquity than is customary at the present time. To the extent that they were true to this principle they were in fact reactionary. No doubt the modern parties of this tendency are lineal descendants of the earlier overwhelmingly conservative sentiment of mankind, a fact which goes far to explain their tenacity and power. The first organization of this sentiment in the form of parties was an innovation in that it involved the creation of new machinery and the employment of new methods, but it was also a reaction in that it involved opposition to emerging parties of a liberal or radical tendency. Parties of the two latter tendencies rest upon a more recent and more highly evolved complex than conservative parties. But it is doubtful if any existing parties calling themselves conservative are absolutely so. They may glorify the principles of authority, order and stability, and oppose bitterly the innovations advocated by other parties, but upon examination they will be found to favor changes in their own interest, sometimes

is anathema. "The primitive man," wrote Herbert Spencer, "is conservative in an extreme degree. Even on contrasting higher races with one another, and even on contrasting different classes in the same society, it is observable that the least developed are the most averse to change."² Sir Henry Maine put the case even more strongly: "Much the greatest part of mankind has never shown a particle of desire that its civil institutions should be improved since the moment when external completeness was first given to them by embodiment in some permanent record. . . . To the fact that the enthusiasm for change is comparatively rare must be added the fact that it is extremely modern. It is known but to a small part of mankind, and to that part but for a short period during a history of incalculable length."³

Closely associated with this hostility to change there is an appalling degree of apathy on the part of undeveloped races toward all matters political. Their whole stock of energy may be absorbed in a struggle for bare existence, as among the Eskimos. In more favored climes which make possible some degree of leisure the genius of the race may be fully occupied by religion or other non-political interests. The charge of apathy is sometimes brought against highly civilized peoples as well. Writing of the United States in 1913, Mr. Walter Lippmann remarks that, "The most incisive comment on politics to-day is indifference."⁴ Reformers and practical politicians alike constantly echo this complaint. Indeed, the activities of parties are directed in large measure to the awakening of interest and enthusiasm. But the indifference of civilized man cannot be compared to the apathy of undeveloped peoples. The former is quickly changed to partisanship by great events or eloquent appeals; the latter continues unbroken generation after generation.

Such organization as primitive peoples possess is homogeneous to an extreme degree. Their social structure shows few differentiations; their economic activities are largely confined to some one field such as hunting and fishing, pastoral pursuits, or agriculture. The dull uniformity of their consequent outlook upon

reactionary, at other times even progressive in character. Virtually all existing parties, therefore, are parties of change in some degree.

² *Principles of Sociology*, vol. i, p. 70.

³ *Ancient Law*, 3d Am. ed., pp. 21-22.

⁴ *Preface to Politics*, p. 1.

Political
apathy

Divergent
group
interests in
higher
societies

life reflects itself in the all but universal conservatism or apathy of their political attitude. Among peoples with highly developed social and industrial systems, on the other hand, there are numerous stark contrasts and divergent group interests. From the latter spring differences of opinion and the determination to maintain them, which, given an opportunity, crystallize in the form of political parties.

Early gov-
ernments
intolerant
of parties

Accustomed as we have become to the view that political parties are helpful or even essential to the conduct of government, it is nevertheless true that for centuries all the power of rulers was so exercised as to make the existence of parties impossible. Primitive governments resting upon military force looked with extreme intolerance upon political discussion of any sort. To the material means of repression they usually added the influence of a subservient priesthood which taught the divine origin of the state and sometimes even asserted the actual divinity of the reigning monarch or dominant caste. Under such conditions the faintest manifestation of political interest or activity on the part of the subject masses was dealt with as constituting not only treason but sacrilege as well.

Effects of
conquest

By conquest theocratic military governments often extended their sway over peoples of alien blood, language, customs, and religion. Within these enlarged territories differences due to unlike geographical and economic environments made themselves manifest. The homogeneity of primitive peoples with their restricted outlook and consequent conservatism thus gave way to a complexity of social conditions from which one might naturally expect political differences and activity to emerge. But the processes of conquest involve a further centralization of political authority and an increase in the power of government. As a result any attempt at political activity on the part of subject peoples is repressed quite as sternly and more effectually than before. Under such conditions parties in the modern sense of the word cannot exist. The nearest approach to them will be found in the cabals and juntos of self-seeking courtiers surrounding the monarch and in secret societies plotting his assassination or fomenting rebellion.

Struggles of this sort may go on for centuries without opening the way to liberalism or a wider diffusion of political power. Especially is this true of countries exposed to foreign invasion

where political repression may justify itself as necessary to national self-preservation. In England the protection afforded by the North Sea and the Channel enabled nobility, gentry, and municipal corporations to make good their claims against the crown at a much earlier date than in continental Europe. Even so, political power long remained in the hands of a small fraction of the population. The parties which first made their appearance in these favored social classes were largely dominated by narrow group interests, sometimes even by great families. Long after the crown had lost its power to repress political activity directly it was able by playing party against party, by patronage, and by corruption to achieve its own ends.

Beginning with the last quarter of the eighteenth century liberal and democratic ideas of government made great progress in America and western Europe. Social classes formerly without political power acquired economic importance and were admitted to the suffrage. Elective officers increased in number, religious or property qualifications were lowered or abolished. Popular education, the press, and improved means of communication greatly stimulated interest in public questions. Party organizations were enormously expanded to meet the new demands made upon them. Even if narrow class interests still find expression through these organizations it must be admitted that the number of classes thus represented is larger than ever before.

Progress
of liberal-
ism and
democracy

With the abandonment of *laissez-faire* theories during the nineteenth century, governments assumed new functions in many fields of public service—*e.g.*, education, sanitation, the regulation of commerce and industry—functions which bring them into constant contact with the daily lives of their citizens. The result is a great increase of political interest and the emergence of new issues with which parties concern themselves. On the other hand, the executive branches of the more progressive governments of the world have abandoned all the grosser and many of the minor methods of repression and corruption with which they formerly attempted to stay the advance of political parties. To varying degrees they admit the right of political parties acting through constitutional forms to influence and even to control the conduct of public affairs.

Extension
of govern-
ment func-
tions

Favored by these developments, political parties have come to play an essential part in the public life of the most highly de-

Parties and
social
progress

veloped countries of the world. They are the natural outgrowth of liberalism, democracy, and education, of economic and social progress. In other countries parties are weak to the extent that these favoring conditions are lacking, and, as we have seen, they are unknown among primitive and undeveloped peoples. Wherever despotism, military power, theocracy, repression hold sway, wherever the social structure is homogeneous, wherever the people are sunk in apathy and hide-bound conservatism, parties cannot exist. Under contemporary dictatorships but one party, servilely supporting the government, is tolerated. On the other hand no matter how great the abuses in their political life, democratic countries do at least possess some measure of free discussion and the power of making a change of rulers without resort to violence. Hence the possibility of summoning to the aid of the national cause a wider range of social groups than despotisms or dictatorships can ever muster in their own support.

Eight-
eenth-
century
view of
parties

Under the favoring conditions of the nineteenth century parties made great advances not only in organization and material power, but in moral standards and methods as well. With few exceptions the philosophers and statesmen of the preceding century were agreed in their condemnation of party. Despotic monarchy was the prevailing form of government of the stronger nations of that time. To its supporters the emergence of parties, or "factions" as they preferred to say, was no more welcome than an outbreak of the plague; indeed they talked of the "pestilential influence of party animosities" as certain to cause corruption, disorder and revolution. The long record of kings sadly limited in the exercise of the royal prerogative by factions, of kings seeking by influence and bribery to make headway against factions, of kings deposed and "martyred" by factions, was more than sufficient to convince all believers in the royalist régime that nothing good could ever flow from such an accursed and polluted source.

Views
of states-
men and
philoso-
phers

What is more difficult to understand is the extent to which progressive and even radical statesmen and philosophers coincided with this view. Believing as they all did in the right of the people to participate in government still they were extremely vague as to the way in which this popular power should be applied. Almost without exception, however, they feared its applica-

tion by means of parties. "The eighteenth-century Whig idea of government . . . regards parties as barnacles upon the ship of state or cancers in the body politic. Before 1787 no English political writer of any consequence except Edmund Burke had dared to defend the party system, and his arguments were regarded as disingenuous attempts to gloss over the iniquities of cabals and cliques."⁵

Extreme radical as he was, Rousseau nevertheless feared parties as destructive to that "general will" without which his ideal democracy could not exist. To the great French philosopher Montesquieu factions appeared to be characterized by unrestrained passions—"hatred, envy, jealousy, and an ambitious desire of riches and honors." Nevertheless, he was inclined to believe that among a free people, such as the English, their existence was an evidence of strength and, further, that a tendency to a balance of power between them could be discerned. Prior to the appearance of Burke's pamphlet this was the most favorable judgment that had been expressed regarding parties.

Rousseau
on parties

For this unanimity on one point of Whigs and Tories, of democrats and monarchists, an underlying reason may be discerned. All of them were so thoroughly convinced of the innate depravity of political parties that they desired most heartily to steer clear of such perverse organizations. Absolutists feared—with entire correctness, as the event showed—that parties would destroy their system. Moderates like the Whigs, together with democrats and other radicals, were convinced that, once they had succeeded in bringing about reforms or in establishing ideal conditions, parties would immediately develop subversive tendencies. Thus from one end of the political scale to the other there was essential agreement in the belief that parties were incorrigibly violent, destructive, oppressive, and corrupt.

Alleged
depravity
of parties

In the light of all that had happened down to that time a very strong argument could be made out in support of the conviction that parties were by nature violent. Centuries full of controversies and civil wars had shown that force was the *ultima ratio regis*. If factions had always pursued a pacifist policy when pushed to extremities by royal power, absolutism would have survived and neither democracies nor parties could have come into existence. From this point of view much of the earlier vio-

Violence
of parties

⁵ Cf. W. B. Munro, *Government of the United States*, p. 312.

lence of faction is seen to be thoroughly justified. On the other hand one can readily understand the aversion to violence and consequently, as they thought, to factions on the part of those who had to reckon with it as a constantly recurring condition in their own lives and affairs.

Parties
adopt
peaceful
methods

Apart from their growth in numbers, perhaps the most remarkable development of parties during the nineteenth century was the increasingly pacific character of their activities. For this sharp contrast between contemporary parties and those of earlier periods a number of explanations may be assigned. Religious controversies which embittered the politics of the eighteenth and preceding centuries no longer played so great a part. The temper of civilized mankind has grown more pacific, although in the light of what happened between 1914 and 1918 one hesitates to lay much stress on this point. Certain it is that most of the leaders and a large part of the followers of the few politically active classes of earlier times were trained in the use of arms and ready to resort to them on slight provocation. When actual conflict did occur among them, as for example in the War of the Roses, it involved only a part of the population. Modern parties, on the other hand, enroll great masses of the people with a preponderant civilian element. If civil war should break out between them it would involve bloodshed and destruction on a scale unknown to earlier centuries. Finally the wider diffusion of property and education makes for social peace. A controversy such as that over the Hayes-Tilden election of 1876 would have produced civil war almost infallibly in any earlier century.

"Ballots
instead
of bullets"

Whatever weight may be assigned to these general considerations accounting for the peaceful character of contemporary political struggles a more specific reason may be found in the fact that parties no longer have to resort to violence in order to gain their ends. In the more advanced nations of the world monarchy has been either abolished or brought under control to such an extent that threats of force are no longer feared from that quarter. Parties have so far advanced their powers and stabilized their position that they have become a part of the existing order and, therefore, interested in its maintenance. Fairly exact and generally accepted methods of determining the extent of the influence to which each party is entitled have been devised in the form of election laws, parliamentary procedure, ministerial

responsibility, and the like. The somewhat hackneyed phrase, "ballots instead of bullets," really expresses a profound truth regarding the conduct of contemporary political parties as contrasted with the conduct of factions in earlier centuries. Critics continue to assail parties on many grounds, but violence is no longer listed in the indictment. Here again, however, recent developments may bring a recrudescence of force. Dictatorships which have sprung up following the World War are as heavy-handed in suppressing opposition as were the despotisms of earlier centuries. As a result their enemies are driven to form underground organizations, usually with headquarters on foreign soil. Given favorable opportunity violence and civil war may well follow; indeed there is no other way to get rid of dictatorships. However this is merely the old lesson in new form, namely that the party system acts as a safety-valve, permitting dissatisfied elements to blow off steam without bursting the boiler.

The eighteenth-century view that political parties were by nature destructive has also given way to the general acceptance of their constructive ability. Their achievements in molding the constitutions and determining the course of ordinary legislation in the United States, England, and the more advanced nations of continental Europe leave no room for doubt on this score. During the same time, as we have already noted, they have developed elaborate and efficient organizations to carry on their own activities, both external and internal.

Constructive work of parties

Even when conditions rendered it impossible for factions to play a violent and destructive part eighteenth-century thinkers were convinced that they would become agents of oppression. No matter what its nature—nobility, clergy, or commonalty; landed, commercial, or manufacturing interest—the class in power at any given time was deemed certain to exploit to the limit of its ability all other classes in the state. It would seek to arrogate to itself privileges and offices; it would shift to others duties, taxes, and obligations. As the only means of avoiding such exploitation eighteenth-century liberals pinned their faith to schemes for checking and balancing governmental powers. They did not foresee that party development under free and democratic conditions would itself supply a simpler and far more efficient principle of moderation.

Parties viewed as agents of oppression

To gain power modern political leaders must build up the

Factors
compelling
party
moderation

largest possible following. Their support may rest primarily upon a certain class or classes, but they are obliged to seek votes wherever they may be found. As a consequence they are under strong and constant pressure to modify policies put forward by the more extreme wings of their parties, and to conciliate the good will of other classes and groups. "It may be stated as a fact, which acquaintance with the interior workings of politics will verify, that the influence of party leaders is chiefly exerted in soothing the prejudices and moderating the demands of their followers."⁶ Anything savoring of oppression is particularly dangerous. It is certain to intensify the opposition of the class aimed at and likely to alienate the more moderate element of the party attempting it. These factors compelling moderation act with maximum intensity under the two-party system, but they are by no means lacking in power where the number of parties is greater. As a result of their action the old charge against parties to the effect that they were by nature oppressive has given way to the modern criticism that they are unduly tolerant, cautious, and procrastinating—not to say cowardly.

Corruption
of parties

With regard to the eighteenth-century view that political factions were inevitably corrupt a more balanced judgment must be rendered. The charge of corruption still persists with great force in the political life of the most advanced nations. In none of them, however, is anything tolerated similar to the open and cynical bribery of Walpole's day. At that time the crown itself—the "fountain of honor"—was the chief practitioner and beneficiary of the corrupt system. Contemporary executives are not completely deprived of shady means of influencing party action, but such means are few and weak indeed compared with those employed in earlier centuries. Modern forms of corruption proceed very largely from powerful interests outside the government operating in the main through pressure groups which seek to influence party leaders. However much involved the latter may be, they invariably disavow and denounce such connections. Parties could afford to be cynical on this score when political power was confined to the few, virtually all of whom shared in ill-gotten gains. They cannot afford to be cynical with the wider electorates of the present day. Popular education, the press, freedom of thought and speech have all contributed to

⁶ H. J. Ford, *Rise and Growth of American Politics*, p. 128.

drive corruption underground and make it more difficult. On the whole there is reason to believe that the danger from this source is relatively much less under the present party system than during the eighteenth and preceding centuries. Certainly it is much less in advanced countries with a well-developed party life than in backward absolutist countries where such a development is impossible.

There was a sound historical basis for the eighteenth-century view that factions were violent and destructive in their worse phases, oppressive and corrupt at best. Under the liberal and democratic conditions of the nineteenth century parties have sloughed off all the extreme and many of the minor forms of corruption current during earlier régimes. They have abandoned violence for peaceful processes, they have substituted constructive for destructive activities, they pursue conciliation instead of oppression. The same century that witnessed an enormous increase in their size, organization, and material power witnessed a striking if not equally great elevation of their purposes, methods, and moral standing.

Conclusion

BOOK NOTES

IN ADDITION to the works of sociologists and political scientists cited in footnotes, among which *Ancient Law* (1861), and **Popular Government* (1885), by Sir Henry Maine, are particularly valuable, the reader should consult *H. J. Ford, *The Rise and Growth of American Politics* (1898), especially Ch. XXV on "Party Efficiency," also Chs. XXVI to XXVIII, inclusive, which will be found replete with philosophical observations, not only on American party life, but also on the earlier party life of England from which it was derived. In his extended introduction to M. Ostrogorski, *Democracy and the Organization of Political Parties* (1902), in *The American Commonwealth*, especially Parts III, "The Party System," IV, "Public Opinion," and V, "Illustrations and Reflections," and finally in *Modern Democracies* (1921), particularly Part I, "Considerations Applicable to Democratic Government in General," the late Lord Bryce has given expression to the results of his wide and prolonged observation of political parties in all the greater democracies of the world. The introduction to J. Macy, *Party Organization and Machinery* (1904), and his *English Constitution* (1903), especially Ch. XXXII, on "The Composition of Political Parties," and Ch. XLII,

on "Political Parties Previous to 1832" of the latter, may be consulted with profit.

Among more recent works the following are of special value as contributions to the conditions of party life: W. Lippmann, *A Preface to Politics* (1913), particularly Chs. I, IV, VII and VIII, also his *Public Opinion* (1922), and *The Phantom Public* (1925), especially Parts I and II; A. L. Lowell, *Public Opinion and Popular Government* (1914), Part II of which is devoted to "The Function of Parties," and by the same author, *Public Opinion in War and Peace* (1923), Ch. IV on "Political Parties"; and C. E. Merriam, *The American Party System* (1922), Chs. I, II, XII to XIV, inclusive. Three valuable studies from periodical literature are A. D. Morse, "The Place of Party in the Political System," *Annals of the American Academy of Political and Social Science*, Vol. II, p. 300 (Nov., 1891); A. D. McLaughlin, "The Significance of Political Parties," *Atlantic Monthly*, Vol. CI, p. 145 (Feb., 1908); and A. M. Low, "Parties and National Welfare," *North American Review*, Vol. CCV, p. 734 (May, 1917).

For purposes of comparing the party life of Europe with that of America, W. B. Munro, *Governments of Europe* (rev. ed., 1931) will be found useful. The best brief account of the Communist party in Russia may be found in *W. H. Chamberlin, *Soviet Russia*, Ch. III (rev. ed., 1931); and at greater length in S. R. Harper, *Civic Training in Soviet Russia* (1929). On the Fascist party in Italy see H. W. Schneider and S. B. Clough, *Making Fascists* (1929); also H. W. Schneider, *Making the Fascist State* (1928). *H. R. Spencer, *Government and Politics of Italy* (1932), contains an admirable series of chapters on recent Italian parties.

PART II

DEVELOPMENT OF PARTIES IN THE
UNITED STATES

CHAPTER IV

DEVELOPMENT OF PARTIES IN THE UNITED STATES PRIOR TO THE CIVIL WAR

THE political life of the American Colonies was a reflection on a small scale, colored by frontier conditions, of that of the mother country. "In every Colony," according to John Adams, "divisions have always prevailed. In New York, Pennsylvania, Massachusetts, and all the rest, a court and country party has always contended. Whig and Tory disputed sharply before the Revolution and in every step during the Revolution."¹ In the frequent conflicts that occurred between royal governors and Colonial assemblies the Tories supported the former and the Whigs the latter. Little if any trace was left by the issues of that era upon our subsequent life as a nation. But the origins of certain of our political methods and structures are to be found in the Colonial period. Among these may be mentioned the caucus, the use of the ballot, and the custom of requiring that representatives shall be residents of the districts from which they are elected. Colonial committees of correspondence "are the lineal predecessors of our state central committees."²

Political
life of the
Colonies

As loyalists the Tories opposed the Revolution, many of them fighting on the British side. It is estimated that they made up one third of the population of the colonies. Prominent among the Loyalists were the royal office-holding class, a large proportion of the great landed proprietors, and men of wealth, rank, and education generally. The Whigs, who as supporters of the Revolution were called Patriots, drew their strength principally from the ranks of the small property owners and shopkeepers, the mechanics of the towns and the poor farmers up country adding a rather turbulent radical fringe.³ During the Revolutionary

Loyalist
Tories vs.
Patriot
Whigs

¹ Adams, *Works*, vol. x, p. 23.

² H. J. Ford, *Rise and Growth of American Politics*, p. 8.

³ "More than once," during the Revolutionary period, "the mechanics of the towns frightened the merchants by radical demands and serious rioting." Cf. Charles A. Beard, *The American Party Battle*, p. 30; also his *Rise of American Civilization*, vol. i, pp. 266-68.

War many Loyalists were driven out in no gentle fashion; at its close large bodies of them, including some of their abler leaders, emigrated to Canada. Judging from the oligarchic rôle they played for a long time in the affairs of the British American Provinces,⁴ it is evident that if they had remained in the United States our earlier party history might have taken a rather more reactionary turn. Loyalists who remained accepted perforce the result of the Revolution. For the time being party divisions ceased to exist. All the people were Whigs and republican in sentiment.

Eighteenth-century antagonism to parties shared by the Fathers

The Fathers of the American Constitution shared fully that eighteenth-century antagonism to political parties which was discussed in the preceding chapter. It would be difficult to find a more cogent and complete statement in brief compass of the prevailing opinion on the subject than that presented by Washington in his Farewell Address. "Let me warn you in the most solemn manner," he begins, "against the baneful effects of the spirit of party, generally." Speaking in the Constitutional Convention on "the amazing violence, and turbulence of the democratic spirit," Hamilton said that "when a great object of government is pursued, which seizes the popular passions, they spread like wildfire and become irresistible."⁵ Widely as he differed from Hamilton's general political views, Madison agreed with him that "in all cases where a majority are united by a common interest or passion, the rights of the minority are in danger."⁶ In general the members of the convention were shocked by the many excesses recorded in history as having been committed by popular factions; moreover the constitution which they framed represents a conservative restoration engineered by certain large property interests.⁷

Small states vs. large states in the convention

Regardless of this hearty aversion to parties two opposing political groups soon made their appearance on the floor of the convention itself. The small-state group favored a purely confederate government; the large-state group favored a national government. "The fundamental difference was whether political powers should be drawn from the states as such, or from the

⁴ E. Porritt, *Evolution of the Dominion of Canada*, pp. 62, 72, 84.

⁵ *Records of the Federal Convention*, ed. by Max Farrand (1923), vol. i, p. 136.

⁶ *Ibid.*, p. 289.

⁷ C. A. Beard, *Economic Interpretation of the Constitution*; H. J. Ford, *Rise and Growth of American Politics*.

people directly.”⁸ As finally drafted the Constitution represented a compromise between these two views, but one which, on the whole, was more satisfactory to the large-state than to the small-state group. Accordingly, the former favored the acceptance of the federal Constitution and took the name of Federalists. Those who opposed its adoption were called Anti-Federalists. Not until it was agreed that certain amendments should be added—the so-called “bill of rights” of the Constitution—was the opposition of the latter group overcome. With the adoption of the Constitution plus these amendments the issue between the two groups was settled.

I. FEDERALISTS *versus* DEMOCRATIC-REPUBLICANS, 1792-1824

Washington was elected President without opposition and called into his Cabinet both Hamilton and Jefferson. Between leaders of such divergent views and personality conflict was certain to arise. Hamilton’s followers formed the Federalist party which sustained the principle of authority, or, expressed in constitutional form, the principle of broad construction. The followers of Jefferson formed the Republican party, which was sometimes derisively called by its enemies the Democratic-Republican, or simply the Democratic, party. At that time, owing to the French revolution, the term “Democrat” had much the same popular significance that the term “Bolshevik” has today. Jeffersonian Republicans were attached to the principle of liberty, which from the constitutional point of view meant strict construction. The difference which thus arose between our first two national parties, and which has been more or less apparent as a “continuing basis of division” ever since, although not consistently so, rested upon the opposition of those who are “the advocates of power for the defense of order, the preservation of the rights of property, and the promotion of enterprises; and those, on the other hand, who are devotees of liberty in resistance to tyranny and governmental interference.”⁹ Behind these divergent constitutional and political doctrines there was also a fundamental and permanent opposition between economic interests. Commerce and industry threw their support first to the Federalists and later to the Whigs and Republicans. On the other hand the agrarian interests of the

Hamilton
vs.
Jefferson

⁸ Woodburn, *Political Parties and Party Problems*, p. 10.

⁹ Woodburn, *op. cit.*, p. 19.

country comprising both the plantation owners of the South and the free farmers of the North were enrolled largely in the Jeffersonian Democratic-Republican and the Jacksonian Democratic parties.

Federalist
and
Republican
policies

In accordance with their fundamental principles the Federalists advocated such policies as Hamilton's funding scheme, assumption of state debts, the first United States Bank, the excise, and a mildly protective tariff—all of which were intended to increase the prosperity of the country and the power and financial influence of the national government. Jeffersonian Republicans opposed these policies on the grounds that they were unsound and speculative, that they exceeded the grants of the Constitution, and that they conferred such great powers upon the federal government as to make it a menace to the rights of the states and to the liberties of the people. In foreign affairs the sympathies of the Republicans were with revolutionary France, those of the Federalists with conservative England. Upon the outbreak of war between these powers in 1793, party lines were more sharply drawn and partisan bitterness speedily reached dimensions threatening to the stability of the infant republic.

Following
of the two
parties

Hamilton's policies made their strongest appeal to the bankers, shippers and merchants of the North Atlantic coast region, but his following included also some well-to-do southern elements such as the tobacco planters of Virginia and the rice planters of South Carolina. Jefferson recruited the much more numerous back-country grain growers from Maine to Georgia together with the small store-keepers dependent upon them and such artisans as were permitted to vote.¹⁰ It must be remembered that suffrage was much restricted at this time by property and other qualifications prevailing under the first state constitutions. Roughly speaking, one fourth of the male adults in the North and one half in the South were excluded from voting.

Washing-
ton and
Adams

By temperament as well as by conviction Washington was not a party man. However, during his two terms in the Presidency he inclined more and more to the policies of Hamilton, so that the first eight years of our national life may fairly be credited to the Federalist party. At the close of Washington's administration the Federalists succeeded in electing John Adams by a narrow majority over Thomas Jefferson. Four years later

¹⁰ Cf. A. N. Holcombe, *op. cit.*, p. 83.

Jefferson defeated Adams. At the same time the Federalists lost control of both houses of Congress, never again to regain it. Thereafter the fortunes of the party went steadily downhill, and in the election of 1820 it made no nomination for the Presidency.

The defeat of Adams in 1800 may be ascribed largely to his personal unpopularity, to the open strife which had broken out between himself and Hamilton, and to the blazing indignation caused by prosecutions under the Sedition Act. But the subsequent decline and ultimate disappearance of his party must be explained on broader grounds. It must be admitted that during their twelve years of domination the Federalists had governed strongly and well. The general development of public sentiment was, however, sharply antagonistic to the principle of authority which they represented. Jeffersonian Republicanism, which sustained the principle of liberty, anticipated this development and was firmly seated in power by the rising tide of democratic feeling.

Downfall
of the
Federalist
party

Finally the policies pursued by Jefferson and his successors speedily set at rest the fear that Democratic-Republican success meant weakness, disintegration, and anarchy. Indeed, the action which they took in regard to the purchase of Louisiana, the Embargo, the protective tariff, and the second bank of the United States was much more easily reconcilable with the Federalist principle of broad construction than with the Jeffersonian principle of strict construction. While the Democratic-Republicans thus proved themselves capable of pursuing a strong national policy, the Federalists, now reduced to the position of a minority opposition party, also departed from the purity of their earlier principles. They did not hesitate to attack the vigorous policies of the Democratic-Republicans as exceeding the powers granted by the Constitution, using for this purpose arguments originally made by Jefferson. Federalist opposition to the War of 1812 reached a point little short of disloyalty, with the result that the popularity of the party still further declined. The report of the Federalist Hartford Convention, published in 1815, was fully as states' rights and secessionist in tone as the Virginia and Kentucky resolutions, inspired by Madison and Jefferson, respectively, in 1798.

Jefferson
and his
successors

With the disappearance of the Federalist party there began the so-called "era of good feeling." But the "era of good feel-

"Era of
good feel-
ing"

ing" soon became in reality a "period of personal politics." At the end of Monroe's second term four powerful leaders—J. Q. Adams, Clay, Crawford, and Jackson—all of whom called themselves Republicans—contested for the Presidency. It is not true, however, that the groups following these leaders were inspired solely by personal loyalty. On the contrary, each of them offered a somewhat different interpretation of Jeffersonian principles. In the ensuing election, while Jackson had a large plurality of the popular vote, none of the candidates received a majority in the electoral college and the election was thrown into the House of Representatives.¹¹ In the House, John Quincy Adams was chosen by the vote of thirteen states, Jackson receiving the vote of seven, and Crawford of four states. [Three highest only voted on in House.]

II. DEMOCRATS *versus* WHIGS, 1828-1860

Election of
Jackson,
1828

Four years later a campaign of much greater personal bitterness was waged. Jackson's friends had not hesitated to charge that his defeat in 1824 was due to a "corrupt bargain" between Adams and Clay. The charge was not substantiated but it injected an immense amount of venom into the political situation. Meanwhile three great issues of domestic policy had come into the foreground—the bank, the tariff, and internal improvements. As a result minor divisions disappeared and new party lines were drawn that were to remain unbroken for more than a quarter of a century. On the one hand were the National Republicans, later to be called Whigs, who nominated Adams for a second term. On the other were the Democratic-Republicans, more commonly called Jacksonian Democrats and later plain Democrats, who supported Jackson. At the election of 1828 the latter was victorious, receiving an overwhelming majority in the electoral college and a substantial majority of the popular vote.¹²

¹¹ In the electoral college the vote stood: Jackson, 99; Adams, 84; Crawford, 41; Clay, 37. The popular vote in eighteen states was as follows: Jackson, 155,872; Adams, 105,321; Clay, 46,587; Crawford, 44,282. In the six other states electors were chosen by the legislatures. See T. H. McKee, *National Conventions and Platforms*, pp. 21-23.

¹² In the electoral college the vote stood: Jackson, 178; Adams, 83. The popular vote of twenty-three states was, for Jackson, 647,231; for Adams, 509,097. In only one state, South Carolina, were the electors chosen by the legislature. McKee, *op. cit.*, pp. 25, 26.

The accession of Andrew Jackson to the Presidency marks the beginning of a new epoch in American politics. In the first place his elevation to power was due to the enfranchisement of the great mass of the "plain people" of the country—small farmers, artisans and laborers. Most of the new western states admitted to the Union prior to 1828 had established what amounted to manhood suffrage.¹³ A frontier population, poor and struggling, but independent and virile throughout, cannot be expected to look with favor on property qualifications. By emigrating from the more aristocratic seaboard states to the West disfranchised mechanics and laborers not only improved their economic condition but also acquired full rights of citizenship including suffrage. In the end the example set by the frontier commonwealths led to the abandonment or reduction to a nominal basis of the property qualifications in most of the older states.

A new epoch in American politics

Jackson owed his elevation to the recently enfranchised masses; moreover, he belonged to them and typified them thoroughly. All his six predecessors in the Presidency had been aristocrats by birth and position, if not by conviction. Even Jefferson, democratic as were his beliefs, lived amid the surroundings of a Virginia country gentleman. Jackson, on the other hand, was born in poverty; he shared all the vicissitudes and struggles of frontier experience and he possessed both the qualities and the defects bred by such an experience. Like Jefferson he was a democrat by conviction but he was a democrat in practice to a far greater degree than his illustrious predecessor.

Democracy of Jackson

The popular upheaval which made Jackson President caused profound changes in party and governmental methods most of which have endured to the present day. Prior to this time it had been customary to make presidential nominations by legislative caucus. "King Caucus" was now dethroned and the delegate convention set in his place. Down to and including the campaign of 1828, no conventions were held. In 1832 for the first time all presidential candidates were nominated by conventions. The Anti-Masonic party was the first to accept the innovation. It held its first national convention in September, 1830, at Philadelphia, ten states sending delegates. This body issued a call for a second convention which was held at Baltimore a year later with dele-

"King Caucus" dethroned

¹³ Cf. chap. xiv.

gates present from thirteen states. Soon it became the practice of conventions to issue formal platforms containing declarations of party principles and statements of proposed party policies.¹⁴

Popular
vote for
presiden-
tial electors

Presidential electors formerly chosen in a number of states by the legislatures were henceforth with a few exceptions elected by popular vote. In the presidential election of 1792, for example, the electors were chosen by the legislatures in nine out of fifteen states. Six of the twenty-four states still chose electors in this way in 1824. In 1828, South Carolina was the only state to choose its electors by legislature. With characteristic conservatism it continued the practice down to the Civil War.

Electors
chosen on
general
ticket

Under the old system the electors of a state were frequently divided between the parties. The newer system of popular election by general ticket usually throws the whole weight of the state into one or the other party column. It therefore enormously increases the importance of a popular majority, particularly in large and pivotal states. Jackson himself made every effort to obtain an amendment to the Constitution providing for the direct election of the President by popular vote, but without success. As a result of the changes noted above, however, the same result is approximated as closely as is possible through the cumbersome machinery provided by the Constitution.

Jackson's
vetoes

Not only in party methods, but in the structure of the government itself Jackson's administration made profound and permanent changes. His immediate predecessors had fallen into the habit of deferring to Congress to such an extent that the primacy of the latter was generally accepted. Conceiving himself as the direct representative of the people as a whole in a gigantic struggle against privilege, Jackson did not hesitate to join issue with the legislative branch. Prior to his administration the veto power had been considered more or less in the light of an advisory function and used altogether in but nine instances. Jackson's

¹⁴ The passage of resolutions at political meetings and conventions became a common practice during the Jacksonian period. However, it was not until 1840 that a formal platform was adopted at a Democratic national convention. Four years later the Whig convention adopted its first formal platform. A series of ten resolutions passed by the "Young Men's National Republican Convention," which met at Washington, May 11, 1832, is sometimes spoken of as the first platform of the Whig party, but as a matter of fact the presidential and vice-presidential candidates of that party had already been chosen by a convention proper held at Baltimore, December 12th of the preceding year.

"twelve vetoes descended upon Congress like the blows of an iron flail."¹⁵

Political leaders of the older and more aristocratic type had looked with favor upon permanency of office holding. Rotation in office was advocated by the Jacksonian element as the truly democratic system. The number of political appointments made by Jackson was small indeed compared with the achievements of some of his successors. As contrasted with the moderation of his predecessors in this respect, however, Jackson's administration marks a startling innovation from which the spoils system with all its evils was a necessary development. On the other hand, the use of patronage greatly aided the Presidency in its conflict with the legislative branch. Moreover, it strengthened party control and built up party organization upon a scale hitherto unprecedented, but now made inevitable by the extension of the electorate. Finally, patronage aided in the suppression of faction within the administration party and forced the opposition to combine in self-defense, thus powerfully stimulating the tendency toward a two-party system. With executive power and the number of jobs within the gift of the White House thus increased it is not surprising that, from the time of Jackson onward, the Presidency has remained the greatest prize of political striving in American public life.

Rotation
and spoils

All the major issues which divided Democrats and Whigs during this period were supplied by Jackson's innovations in the use of his presidential powers and by his policies on domestic questions. He had the loyal support of the Democrats in his suppression of nullification and in his embittered fight against that "monster," the United States Bank. The first formal platform of the Democratic party, adopted in 1840, declared that "the federal government is one of limited powers . . . to be strictly construed." It held that "the Constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements." Opposition to protectionism was implied by the statement that "justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another." Further, the Democratic platform of 1840 held that "Congress has no power to charter a United States Bank," and denounced such an institution in

Other
Jacksonian
issues

¹⁵ Ford, *op. cit.*, p. 180.

unmeasured terms. The position which the party was to maintain on the slavery issue found expression as follows: "Congress has no power under the Constitution to interfere with or control the domestic institutions of the several states; . . . all efforts by Abolitionists or others made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences . . . and endanger the stability and permanence of the Union."

Democ-
cratic
planks
1840-1860

In every national platform from 1840 to 1860 the Democrats reiterated with a few slight changes the above profession of their party faith. Nor can it be denied that, during their long and seldom interrupted lease of power from Jackson to Buchanan, they carried out their pledges with commendable fidelity.

National
Repub-
licans or
Whigs

Opposition to "King Andrew" and all his works was the cement that bound together the discordant elements which formed the National Republican party. Early in its existence it was sometimes referred to as the National Democratic party, showing that the old prejudice against the latter term had completely disappeared, that, indeed, it had acquired popularity. But the Jacksonian element had so thoroughly pre-empted the word that the National Republicans had to cast about for another title. In 1834, they began to assume the name "Whig," which commended itself not only because of the luster derived from historic party battles in England but also because of its association with the struggle of the Colonists against royal usurpation during the American Revolution.

Discordant
elements
among the
Whigs

Throughout its existence the Whig party suffered from the fact that it was so largely an "anti" party. It had brilliant leaders—Clay, Webster, and John Quincy Adams—and until 1840, Calhoun acted with it. But the old adage that "politics makes strange bedfellows" never had a better illustration than in the heterogeneous make-up of the Whig party. The policies proposed on internal improvements, tariff, banking, and slavery appealed strongly to the agrarian element which then was numerically supreme. It is true that many a southern planter abhorred Jackson's leveling tendencies quite as heartily as they were applauded by the poor farmer of the North. Nevertheless, planters feared the tide of industrialism which was rising higher and higher

beyond the Mason and Dixon line;¹⁶ moreover, they were glad to insure themselves against anti-slavery agitation by a political alliance with the more numerous agricultural population in the North. There was a large hold-over element of ancient Federalists in its membership whose former hatred of Jefferson ripened into virulent antagonism against Jackson. By their high tariff policy the Whigs attracted manufacturers of New England and the Middle States; by their friendship to the United States Bank they gained adherents among the richer commercial classes; by advocating internal improvements they secured a following among the more ambitious promoters of new western communities. The party also included such varied elements as (1) the National Republican advocates of the "American System"—a national bank, internal improvements, and protection; (2) nullifiers and extreme states' rights men; (3) a majority of the Anti-Masons;¹⁷ (4) former Democrats who had become disgruntled over Jackson's use of the veto, his distribution of patronage, and other "usurpations"; and finally (5) the many virulent enemies of the latter on personal or political grounds. In order to hold these divergent groups together and to attract as many as possible of the new political organizations which sprang up during this period, the platforms of the party became models of evasion, reticence, and brevity as to issues. Indeed, some of them consisted largely of eulogies on the candidates, notably that of 1848 which was given up almost entirely to a glorification of the record of General Zachary Taylor. The Whigs had elected General William Henry Harrison, another war hero, without any platform at all in 1840. However, their third military hero, General Winfield Scott, went down to crushing defeat in the election of 1852.

The Whigs were successful in two national elections only (1840, 1848), but the fruits of the first of these victories were largely lost to them by the death of President Harrison one month after his inauguration. As vice-presidential candidate with

Whig vic-
tories,
1840, 1848

¹⁶ Writing in Jackson's administration DeTocqueville makes some interesting and prophetic remarks on this subject. Cf. *Democracy in America*, vol. ii, ch. xxv.

¹⁷ The Anti-Masonic party was formed in opposition to certain alleged abuses on the part of that and other secret societies. It was active from 1828 to 1832 in New York and neighboring states, where for a time it was the most important anti-Democratic organization.

the latter they had nominated John Tyler of Virginia, who was temporarily affiliated with their party, but who at bottom was an "eclectic Democrat."¹⁸ The sole purpose of his nomination had been to secure the support of a southern element which was opposed to the Democratic party. Soon after Tyler's accession to the Presidency the true nature of his convictions became apparent. Before the end of his term the Whig members of Congress virtually read him out of the party, declaring that "all political connection between them and John Tyler was at an end from that day forth."

Slavery
and the
Whigs

With the rise of the slavery issue to a position of paramount importance in American politics the incongruity of the elements making up the Whig party became even more apparent. There were "Conscience Whigs," who were radical anti-slavery men; there were "Cotton Whigs," who wanted peace at any price on the question for the benefit of the cotton trade; there were strong pro-slavery Whigs in the South; and every possible grade of interest and indifference between these various groups. Strenuous efforts were made to conciliate these irreconcilable tendencies and to hold the party together in spite of them. In the campaign of 1852 the Whigs made a last desperate attempt to maintain party unity on the basis of the Compromise of 1850. Their platform for that campaign contained the following plank accepting even the Fugitive Slave law as a finality—a step which sealed the fate of the party:

That the series of acts of the Thirty-second Congress, the act known as the Fugitive Slave law included, are received and acquiesced in by the Whig party of the United States as a settlement in principle and substance of the dangerous and exciting questions which they embrace, and so far as they are concerned we will maintain them and insist upon their strict enforcement until time and experience shall demonstrate the necessity for further legislation to guard against the evasion of the laws on the one hand, and the abuse of their powers on the other, not impairing their present efficiency; and we deprecate all further agitation of the question thus settled as dangerous to our peace, and will discountenance all efforts to continue or renew such agitation, whenever, wherever, or however the attempt may be made; and we will maintain the system as essential to the nationality of the Whig party and the integrity of the Union.

¹⁸ Woodrow Wilson, *Division and Reunion*, p. 135.

The adoption of this ill-starred plank justified in large part the remark that "the Whig party died of an attempt to swallow the Fugitive Slave law." In the ensuing election it secured the electoral vote of but four states. The Whig convention of 1856 accepted the nominees of the American (Know-Nothing) party, but their combined popular vote fell far behind that of the newly formed Republican party and they obtained the electoral vote of only one state. "Old-line" conservative Whigs made up a large part of the Constitutional Union party in 1860, but the Whig party proper was moribund in 1852, and virtually dead in 1856.

"Swallow-
ing the
Fugitive
Slave law"

Four years later the Democratic party was disrupted by the same issue. The anti-slavery agitation which came to play so profoundly disintegrating a part in American politics at this time dated back to the early 'thirties. William Lloyd Garrison issued the first number of the *Liberator* on January 1, 1831. The New England Anti-Slavery Society was formed in 1832, and expanded a year later into the American Anti-Slavery Society. Garrison himself led the radical wing of the movement, which in addition to abolition espoused a number of extremist ideas not unlike those held by theoretical anarchists at the present time, and in accordance with these ideas he and his followers refused to vote or to organize for political action.

Slavery
disrupts
Democrats
1860

Among more moderate elements of the population anti-slavery agitation made many converts. The latter looked upon the question not only as one of morals but also as one of politics, and therefore to be dealt with by means of party organization and activity. In general they were willing to concede the right of states which desired to preserve their "domestic institution" to do so. But they were resolutely opposed to the extension of slavery into new areas. The admission of Texas in 1845, the cession made by Mexico at the close of the war of 1846-47, and the territory confirmed to the possession of the United States by the peaceful settlement of the Oregon boundary question in 1846 therefore added so much fresh fuel to the flames of the slavery controversy.

Anti-
slavery
agitation

In 1840 the political abolitionists formed a third party opposed both to the Whigs and to the Democrats. It was the first step which led ultimately to the formation of the Republican party. The new Liberty party received only seven thousand votes in

Liberty
party of
1840

1840, but it polled sixty-five thousand votes in 1844. Four years later large reinforcements were received from the "Conscience," or Free Soil, Whigs. Meanwhile, the Democratic party had begun to disintegrate on the slavery issue. Many of its members in the North were stoutly opposed to the extension of slavery in the territories. Led by the "Barnburners" of New York they also began to rally to the new movement, which now took the name of the National Free Soil party. Its platform for 1848 boldly announced "that Congress has no more power to make a slave than to make a king; no more power to institute or establish slavery than to institute or establish a monarchy; . . . that we accept the issue which the slave power has forced upon us; and to their demand for more slave states and more slave territory, our calm but final answer is: No more slave states and no more slave territory."

Free Soil
party

The strength of the Free Soil movement fell off somewhat in 1852, as a result of the compromise legislation of 1850 and the general effort made to treat that legislation as a final disposition of the slavery question. Nevertheless, the party reaffirmed the position taken in 1848, and added a vigorous condemnation of the Fugitive Slave Act as "repugnant to the Constitution, to the principles of the common law, to the spirit of Christianity, and to the sentiments of the civilized world. We therefore deny its binding force on the American people, and demand its immediate and total repeal."

Kansas-
Nebraska
bill

All the hopes of the "Finality Men" that the slavery question had been disposed of by the legislation of 1850 were shattered when the Kansas-Nebraska bill passed in 1854. By this act the Missouri Compromise was repealed and territory which since 1820 had been considered beyond the reach of slavery was opened up to dispute. Immediately all the "Anti-Nebraska" forces began to draw together in opposition to the further extension of slavery. It was the final step that precipitated the formation of the Republican party.

"Know-
Nothings"

Shifts of party allegiance which occurred on a grand scale at that time were facilitated by a curious political interlude, novel enough then but destined to be repeated often in American politics. Immigration had been pouring into the country with great rapidity during the 'forties and 'fifties, and the participation of the newly enfranchised foreign element in politics was marked

by certain gross abuses which aroused the antipathy of large numbers of native Americans. Against this foreign influence a secret movement was launched, the members of which were pledged to feign ignorance when questioned about it. Consequently they came to be called "Know-Nothings." By 1854 the new movement had attained considerable strength, carrying many local elections in states both North and South. In 1856 it held a national convention, nominating candidates who were accepted later by the remnant of the Whigs. Its platform for that year contained the following planks: "Americans must rule America; and to this end native born citizens should be selected for all state, federal, and municipal government employment, in preference to all others." "A change in the laws of naturalization, making a continued residence of twenty-one years . . . an indispensable requisite for citizenship hereafter." "Opposition to any union between church and state." Non-committal as to slavery, the Know-Nothings were sometimes derided as "Do-Nothings" on that issue. Nevertheless, the movement detached large numbers of Whigs and Democrats from their old party allegiance. With the subsidence of the anti-alien movement these men found it somewhat easier than would otherwise have been the case to join with former Free-Soilers in the organization of the Republican party.

In the election of 1856 the new party revealed surprising strength, carrying all of New England and in addition the states of New York, Ohio, Michigan, Wisconsin, and Iowa. Although the Democrats were victorious, a sharp division of sentiment began to appear among them. To "Fire-Eaters" in the South the demonstration of Republican strength was proof positive that their peculiar institution was marked for destruction. This conviction carried them to lengths which alienated the sympathies of northern Democrats. Public opinion in both sections was greatly embittered by the struggle for Kansas and by John Brown's raid. The decision in the Dred Scott case, which virtually pronounced the aims of the Republicans to be unconstitutional, merely intensified the spirit of that party, but it drove still deeper the wedge between northern and southern Democrats.

In 1860 came the inevitable split, the southern Democrats nominating Breckinridge and the northern Democrats nominating Douglas. The Constitutional Unionist party, made up largely

Republican
party, 1856

Issues of
1860

of "Old Line," or conservative, Whigs, nominated Bell. On the great issue of the campaign the position of the parties may be summed up as follows: (1) the Republicans held that slavery should be barred from national territory by national power; (2) the southern Democrats held that it should be protected in national territory by national power; (3) the northern Democrats proclaimed the doctrine of national non-interference and of popular sovereignty, according to which the question of slavery should be left to the decision of the white people of each territory; and (4) the Constitutional Unionists were evasive on the slavery issue, recognizing no political principles "other than the Constitution of the country, the union of the states, and the enforcement of the laws."¹⁹

National-
ism and
sectional-
ism

From the days of Jeffersonian Republicans and Hamiltonian Federalists onward the influence of American parties as a whole was strongly exerted as a nationalizing and unifying force. By associating great masses of men regardless of state lines in the pursuit of common political aims they had helped to break down much of the isolation and animosity which existed between the Colonies. In the long period under consideration they had brought about a uniform basis of suffrage throughout the country, and built up great national political organizations designed throughout upon a uniform plan and pursuing uniform methods. That they faced each other in 1860 upon sectional lines was not the fault of parties but in spite of them.²⁰ For years, indeed, Whigs and Democrats alike had struggled incessantly, but in the end unavailingly, for party unity through compromise. "The Union was not broken up because sectional parties had been formed, but sectional parties were formed because the Union had actually become sectionalized."²¹ With due deference to all excuses

¹⁹ Cf. Woodburn, *op. cit.*, p. 90.

²⁰ Lincoln carried every state north of the Mason and Dixon line except New Jersey, and from that state he received four out of seven votes in the electoral college. In addition he carried the Far Western states of California and Oregon. The southern wing of the Democracy received the whole electoral vote of that section, excepting that of the border states, Virginia, Kentucky, and Tennessee, which went to the Constitutional Union; and of Missouri, which was carried by the northern Democrats. The popular vote was as follows: Lincoln, 1,866,352; Breckinridge, 847,514; Bell, 587,830; and Douglas, 1,375,157. In the electoral college the large popular vote of the last named counted for little because it was scattered throughout the northern states where it was wiped out by Republican majorities.

²¹ H. E. von Holst, quoted by W. Wilson, *Division and Reunion*, p. 212.

that can be offered, however, resort to war in 1860 meant the failure of American political leadership, a failure aggravated by the two-party system with its perpetual effort to win elections rather than to solve menacing problems. Fundamentally the breach was due to differences of soil and climate and to those economic conditions dependent upon them, particularly after the invention of textile machinery and the cotton gin made slavery seem essential to the prosperity of the South. After seventy years of union and peaceful constitutional development the threat of secession, so often resorted to by defeated parties in the past, was to become a reality. Statesmanship had failed; the basic issues of American politics were now submitted to the tragic arbitrament of the sword.

BOOK NOTES

SINCE the publication of the first edition of the present work the whole development of political parties in the United States has been discussed admirably, with particular reference to the economic background, by *A. N. Holcombe, *Political Parties of Today* (1924); and by *C. A. Beard, *The American Party Battle* (1928). A number of valuable special studies have made their appearance, among them *C. G. Bowers, *Jefferson and Hamilton, the Struggle for Democracy in America* (1925) and *Party Battles of the Jackson Period* (1922); E. M. Carroll, *Origins of the Whig Party* (1925), which presents a thorough study, illustrated by maps, of the campaigns from 1832 to 1840 inclusive; R. F. Nichols, *The Democratic Machine, 1850-1840* (1923), an interesting detailed study of the *genus* politician during that period; A. W. Crandall, *Early History of the Republican Party* (1930), discussing that subject with a wealth of materials to and including the campaign of 1856; H. Minor, *The Story of the Democratic Party* (1928); *F. R. Kent, *History of the Democratic Party* (1928), the "first full length portrait of that party from Thomas Jefferson to Alfred E. Smith," telling both its "undeniable merits" and its "undeniable faults"; *W. S. Myers, *History of the Republican Party* (1928), a "story of success and failure" covering the nearly three-quarters of a century of the party's existence; and M. Minnigerode, *Presidential Years* (1928), a colorful collection of campaign personalities, intrigues, arguments, cartoons, and songs from 1787 to 1860; *D. C. Seitz, *Lincoln, the Politician* (1931), a realistic yet sympathetic biography of the great emancipator, which reveals his skill in manipulating politics and politicians before and during the Civil War.

Of the general treatises on political parties cited in Book Notes under Ch. I, J. A. Woodburn, *Political Parties and Party Problems* (1903), devotes by far the largest amount of space to the historical aspect of the subject. *H. J. Ford, *The Rise and Growth of American Politics* (1898), is the most brilliant and original contribution made in this field during the last generation. *E. Stanwood, *A History of the Presidency* (2 vols., latest ed., 1928), presents documents and statistics, with comment, on presidential conventions, candidates, and platforms down to and including 1916. E. E. Robinson, *The Evolution of American Parties* (1924) presents briefly in the order of their appearance the succession of political parties, giving particular attention to their organization. The earlier compendiums of T. H. McKee were supplanted in 1924 by K. H. Porter, *National Party Platforms*, complete from 1840 to date.

Among the larger comprehensive works dealing wholly or in part with this period the following are of prime importance: *C. A. and M. R. Beard, *The Rise of American Civilization* (1927); H. Adams, *History of the United States, 1801-1817* (9 vols. 1889-1891); A. B. Hart, editor, *The American Nation: A History, 1300-1917* (28 vols., 1903-1918); R. Hildreth, *History of the United States, 1492-1821* (6 vols., 1849-1856); H. von Holst, *Constitutional and Political History of the United States, 1750-1861* (8 vols., new ed., 1899); J. Schouler, *History of the United States under the Constitution, 1783-1865* (6 vols., 1894-1899); J. B. McMaster, *A History of the People of the United States from the Revolution to the Civil War* (8 vols., 1883-1912); W. Wilson, *A History of the American People, 1492-1900* (5 vols., 1902); and J. Winsor, editor, *Narrative and Critical History of America, 1000-1850* (8 vols., 1884-1889). For briefer treatment of political topics see J. S. Bassett, *A Short History of the United States, 1492-1920* (1921). On special periods or subjects of more than usual political importance the following are useful: J. S. Bassett, *The Federalistic System*; E. Channing, *The Jeffersonian System*; W. MacDonald, *Jacksonian Democracy*; F. J. Turner, *Rise of the New West*; A. B. Hart, *Slavery and Abolition*; and T. C. Smith, *Parties and Slavery*.

Historical treatises devoting special attention to the growth of political parties have been published as follows: J. P. Gordy, *Political History of the United States* (1902); A. Johnson, *American Political History, 1763-1876*, edited and supplemented by J. A. Woodburn (1905); and S. D. Fess, *History of Political Theory and Party Organization in the United States* (1910).

The more important historical works written from economic viewpoints closely related to party development are: E. L. Bogart, *Eco-*

nomic History of the United States (1908); K. Coman, *Industrial History of the United States* (rev. ed., 1910); D. R. Dewey, *Financial History of the United States* (1903); F. W. Taussig, *Tariff History of the United States* (1905); and E. Stanwood, *Tariff Controversies of the Nineteenth Century* (2 vols., 1903). For further historical references, consult the *Guide to the Study and Reading of American History* (1912), by E. Channing, A. B. Hart, and F. J. Turner. Two recent works of importance in the field of economic history are I. Lippincott, *Economic Development of the United States* (1921); and L. R. Wells, *Industrial History of the United States* (1922).

CHAPTER V

DEVELOPMENT OF PARTIES IN THE UNITED STATES 1860-1912

Periods
of party
history
1860-1912

DURING the years from 1860 to 1912 two periods of party history may be distinguished. The first (1860-1876) was given over to the great issues of war and reconstruction. From 1876 on, economic questions—the tariff, currency, railroads, trusts, labor, and the high cost of living—were paramount until 1912, and indeed to 1914 when the outbreak of the World War turned the attention of the people to a new set of issues.

I. WAR AND RECONSTRUCTION, 1860-1876

Democrat-
ic party dur-
ing Civil
War

With the outbreak of the Rebellion a considerable number of "War Democrats" in the North gave valiant support to the Union cause. Other elements of the party desired to conciliate the South, condemning both "Abolition Fanatics" and "Southern Fire-eaters," whom they held equally responsible for the bloody struggle. A few extremists among them—the hated "Traitors," "Butternuts," and "Copperheads"—were guilty of disloyal utterances and acts. The Democratic platform of 1864 denounced executive usurpations "under the pretense of a military necessity or war power higher than the Constitution," and declared in words that were often brought up to plague the party, that "after four years of failure to restore the Union by the experiment of war . . . justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to the ultimate convention of the states or other peaceable means, to the end that . . . peace may be restored on the basis of the federal union of the states." It is only fair to add that in his letter of acceptance, McClellan, the party's nominee for the Presidency, disavowed this plank.

Republican
party dur-
ing Civil
War

The Republican party also had its radicals on slavery and war policies as well as others of more moderate views. Abolition, it will be recalled, was not one of the party's purposes either in 1856 or in 1860. As a war measure, however, President Lincoln took

this step so far as slaves in the rebellious states were concerned, by his famous Emancipation Proclamation of January 1, 1863. Even this did not satisfy the Radical Republicans, who held a convention in May, 1864, and adopted a platform which, while demanding that "the rebellion must be suppressed by force of arms and without compromise," severely criticized by implication some of Lincoln's war measures, pronounced in favor of a "one-term policy for the Presidency," and even went the length of demanding "the confiscation of the lands of the rebels." John C. Frémont, who had been the Republican candidate in 1856, was nominated for the Presidency by this convention.

Shortly thereafter Lincoln was unanimously renominated on the first ballot at the Baltimore convention.¹ The platform unqualifiedly approved his administration, demanded the unconditional surrender of the rebels and the utter and complete extirpation of slavery from the soil of the Republic. Of less immediate but of greater permanent importance were the planks favoring a homestead law and a protective tariff, as a result of which the famous "union of hearts" between manufacturers and farmers was cemented.² For Vice-President, Andrew Johnson of Tennessee, a Union man formerly affiliated with the Democratic party, was nominated. In the course of the campaign the candidates of the Radical Republicans withdrew and the support of that wing of the party was given to Lincoln and Johnson, who triumphantly carried every state then in the Union, with the exception of three. The downfall of the Confederacy followed early in 1865. Before the end of the year the Thirteenth Amendment to the Constitution, abolishing slavery within the United States, was declared in force. Thus the questions of secession and slavery, which for so long had overshadowed our political life, were, by the admission even of the Democrats, "settled for all time to come . . . never to be renewed or reagitated."³

Renomina-
tion of
Lincoln

Upon the conclusion of the war reconstruction became the order of the day. Lincoln's conciliatory attitude upon this ques-

Presidency
of Andrew
Johnson

¹ Although commonly referred to as the Republican convention of 1864, the gathering at Baltimore took the title officially of the National Union convention. In large part this change of name was made with the hope of attracting the votes of war Democrats.

² See C. A. Beard, *op. cit.*, pp. 82-143.

³ Democratic platform, 1868, K. H. Porter, *National Party Platforms (1924)*, p. 64.

tion was well known, but to the irreparable loss of the country he was removed by the hand of an assassin six weeks after his second inauguration. Johnson shared Lincoln's moderate views on reconstruction, but after succeeding to the Presidency his words and acts in giving them effect were anything but moderate. Soon he became involved in open hostility with large Republican majorities in both houses of Congress, the result being that he was rendered well-nigh impotent, although by no means voiceless. In the end he escaped conviction on impeachment proceedings by the margin of a single vote in the Senate.⁴

The "thorough" policy of reconstruction

Under the circumstances the Republican party not unnaturally turned to the support of its more radical element in Congress, whose motto with regard to all southern questions was "thorough." By the Reconstruction Act of March 2, 1867, the seceding states with the exception of Tennessee were divided into five districts, which were placed under the command of generals of the army empowered to direct the processes of reconstruction. Readmission to the Union was made dependent upon a number of onerous conditions, including acceptance of the Fourteenth Amendment. A considerable number of northern Republican politicians emigrated to the South at this time, and under the protection of federal bayonets organized the inexperienced Negro voters. As they were said to carry all their worldly goods in the homemade traveling bags of the period, these immigrants came to be called "Carpetbaggers." Under their influence legislatures chosen largely by Negroes indulged in an orgy of extravagance and corruption which left the state governments burdened with enormous debts. Meanwhile the most influential white citizens of the South were excluded from the franchise because of their participation in rebellion.

Issues of 1868

The Presidential election of 1868 was fought out largely on these issues. In its platform of that year the Democratic party hotly arraigned the "Radical party," as it called the Republicans, for its "unparalleled oppression and tyranny" in subjecting "ten states, in time of profound peace, to military despotism and Negro supremacy," and demanded their "immediate restoration

⁴ Recent biographers have found much to say in defense of Andrew Johnson. See L. P. Stryker, *Andrew Johnson, a Study in Courage* (1929); also R. W. Winston, *Andrew Johnson, Plebeian and Patriot* (1928); and historical works on his period by C. G. Bowers and G. F. Milton referred to under Book Notes at end of this chapter.

... to their rights in the Union under the Constitution." The Republicans nominated and elected General Grant on a platform congratulating the country on "the assured success of the reconstruction policy of Congress," but added a clause favoring "the removal of the disqualifications and restrictions imposed upon the late rebels in the same measure as the spirit of disloyalty will die out and as may be consistent with the safety of the loyal people." In 1869, the Fifteenth Amendment was proposed, and made a further condition for the readmission of the states not already reconstructed.

Thus the Republican party which began its career merely as a union party opposed to the further extension of slavery found itself forced by the logic of events to take the additional steps of abolition, of conferring citizenship upon freedmen, and finally of attempting to secure for them the right of suffrage. Of these policies the effort to prevent denial of the vote "on account of race, color, or previous condition of servitude" was least successful in practice and has been subjected to by far the greatest amount of criticism, much of it justified by subsequent happenings.⁵ Nevertheless, the motives compelling the attempted grant of suffrage were strong, at least from the point of view of party expediency, although somewhat varied as to moral content. The earlier Republicans had made much of the Jeffersonian doctrine that "all men are created equal," quoting it in their platforms of 1856 and 1860; now they were called upon to live up to it literally. Moreover they had accepted the services of many Negroes and former slaves during the war and were thus bound by a debt of gratitude. It was also argued with great force that the freedmen could defend the gifts of liberty and citizenship only if they were armed with the ballot. Finally the leaders of the Republican party were by no means certain that they commanded a popular majority throughout the country. By giving the vote to Negroes they hoped to assure themselves a long continuance in power, thus securing by legislation the fruits of victory won on the battlefield over their southern adversaries.⁶

Negro
suffrage

During Grant's first administration the remaining uncon-

Liberal
Republican
movement,
1872

⁵ James Bryce seems to accept the policy of the Fifteenth Amendment in the *American Commonwealth* (see vol. ii, ch. xciii), but reaches an adverse opinion in his later work, *Modern Democracies* (vol. ii, ch. xli).

⁶ On these motives cf. A. N. Holcombe, *Political Parties of Today*, pp. 180 et seq.

structed states were admitted to congressional representation, but the Force bills were passed in an effort to suppress Ku-Klux disorders. Even in the North, however, a revulsion of feeling had set in against the "thorough" policy of the radical Republicans, which led to the first serious break in the party that had occurred since its organization. A group of liberal Republican leaders, who favored not only a general amnesty, but also civil-service reform, specie payments, and a revenue tariff, called a national convention at Cincinnati in 1872. But the nomination of this convention was captured for Horace Greeley, the brilliant but somewhat erratic editor of the New York *Tribune*, who was one of the most extreme protectionists living and who, moreover, was by no means satisfactory to the civil-service-reform element of the new movement. Nevertheless, the Democratic party accepted both the platform and the nominees of the liberal Republicans. General Grant was the choice of the regular Republicans for a second term and was reelected by a larger vote, both popular and electoral, than had been cast for him four years earlier. The campaign of 1872 also marked the first appearance in national politics of the Prohibition and Greenback parties.

Grant's
second
administra-
tion

Although the liberal Republicans failed to elect Greeley in 1872, public sentiment turned strongly in favor of their policies during Grant's second administration. A general amnesty was passed in the course of that year, but disturbances continued south of the Mason and Dixon line. In spite of the President's efforts to sustain the Reform Act of 1872, the civil service of the country was demoralized to an extreme degree by political appointees, and in 1874 Congress refused to vote funds for the further enforcement of the law. The "Salary Grab" was most unpopular, and the widespread corruption revealed by the investigations of the *Crédit Mobilier* and Whisky Ring profoundly discredited the party in power.

Hayes-
Tilden con-
test, 1876

Effects of the shift of public sentiment toward a more liberal policy were made manifest in the Republican national convention of 1876, which refused to nominate James G. Blaine, the magnetic but not immaculate idol of the congressional machine, and named instead Rutherford B. Hayes, a devoted friend of civil-service reform and a staunch foe of corruption. The Democratic party nominated Samuel J. Tilden, and for the first time since the Civil War polled a majority of the popular vote of the coun-

try. Tilden received without question 184 votes in the electoral college, lacking but one of the number necessary to elect him. Hayes received, also without question, 163 votes, the returns from four states being contested. Of the latter, three were the southern states of South Carolina, Louisiana, and Florida, the reconstructed Republican governments of which enjoyed the support of federal troops. In the end the Electoral Commission which was created to break the deadlock decided every contest by a strict party vote in favor of Hayes, giving him the election by 185 to 184 electoral votes.

One of the first acts of Hayes's administration was the withdrawal of federal troops from southern states. The long and bitter process of reconstruction was thus brought to an end. Freed from military control and with white supremacy restored, these states promptly overthrew their Republican governments and aligned themselves solidly in the Democratic column. From 1876 to 1916 inclusive not one of the eleven was carried by the Republican party in a national election. Over wide areas in the South the Fifteenth Amendment became virtually a dead letter so far as Negro suffrage was concerned. By the Fourteenth Amendment the power of the Democratic party had actually been increased. The latter amendment annulled the old three-fifths rule of the Constitution, and thus enabled southern states to take full advantage of their colored population—regardless of the fact that it was largely excluded from voting—in determining the apportionment of representatives, and hence their vote in the electoral college.⁷ Nor has the federal government ever cared to exercise the power given under the two amendments to penalize such limitations of the suffrage.

The solid South after reconstruction

II. ECONOMIC ISSUES, 1876-1912

Following the Civil War the economic recovery of the country was exceedingly rapid. Between 1860 and 1880, the population of the United States increased from thirty-one million to fifty million. During the same period railroad mileage more than trebled, and in 1869 the first transcontinental railroad was completed. The aggregate wealth of the country rose from sixteen billion in 1860 to forty-two billion in 1880. Freed from the

Economic recovery after the Civil War

⁷ For a thorough explanation of this point see A. N. Holcombe, *Political Parties of Today*, p. 190.

incubus of slavery, the South was invaded by commerce and manufactures, and the lines drawn by the old economic sectionalism began to disappear. Immigration, temporarily halted during the war, set in afterward with increased volume. An unprecedented advance was recorded in the growth of cities.

Industry
emerges

Even before the war industry had outstripped agriculture; "by 1850 the value of the property employed in mills, mines, railways, and urban undertakings generally exceeded the value of all the farms and plantations between the Atlantic and the Pacific."⁸ Just as the Democratic party during its long period of power from Jefferson to Buchanan had made itself the exponent of the predominant agrarian interests of the country, so now the Republican party became the exponent of the emerging colossus of industry, always, however, with a wary eye to the highly necessary additional votes of the grain growers of the Middle West and Northwest. The continuance in power of the Republicans after Civil War and reconstruction issues had been settled was due largely to their interpretation of the needs of the new industrial masters of the United States. To this end they evolved a combination of policies on the national debt, protection, banking, currency, and commercial expansion, which were closely similar to those of the Federalists and later of the Whigs. Agrarian support was invited by the Homestead Act of 1862, as a result of which hundreds of thousands of western farmers became indebted to the Republican party for the soil from which they obtained a livelihood. Thus was formed that political partnership between business men and free farmers that was destined to a long lease of power in national affairs. "King Cotton" had been dethroned; southern planters, ruined by the war, deprived of their slaves by emancipation, and crushed under federal military authority, lost their old-time dominance in the Democratic party. Politically the latter suffered also because it emerged from the war branded with the charge of disloyalty south and pacifism north of the Mason and Dixon line.

Accompanied by
economic
maladjustments

Gratifying as was the economic development of the country taken as a whole, it was accompanied by certain grave maladjustments which soon made themselves felt in the political field. Prices were enormously inflated during the Civil War, but from 1866 to 1896 they fell steadily. As a result producers and the

⁸ Charles A. Beard, *The American Party Battle*, p. 76.

debtor class, which included a large number of farmers struggling to meet mortgage payments, found their burdens constantly growing heavier. Particularly in the Middle West the grangers felt themselves oppressed by high freight rates and by the discriminations practiced by great railroad combinations which had come to dominate this territory. In 1873, the business of the country was shaken to its foundations by the most severe panic it had ever experienced. Unemployment was widespread and the ensuing period of depression lasted till 1878.

Discontent of the agricultural and laboring classes first found political expression through the Greenback party. Originally the members of this party expected to solve their economic problems largely by increasing the issue of legal-tender paper money, which, they thought, would bring about higher prices and higher wages, relieve business depression, and reduce the burdens of the debtor class. Later they added various measures designed to benefit labor and to destroy railroad and other monopolies. They were thus the forerunners of the Union Labor party of 1888, and of the People's party, or Populists, who first made their appearance about 1890.

Discontent
expressed
in Green-
back party

As in the case of other third-party movements, both the Greenbackers and the Populists were derided at first as wild-eyed fanatics and calamity howlers. The voting strength of the former was never considerable,⁹ but in 1892 the Populists startled the country by casting more than a million votes for their candidates and securing twenty-two electoral votes—the first invasion of the Electoral College by a third party since the Civil War. Their platform for that year demanded (1) a national currency issued by the general government only, a full legal tender, and that without the use of banking corporations; (2) the free and unlimited coinage of silver and gold at the existing legal ratio of sixteen to one; (3) the increase of the circulating medium to not less than \$50 per capita;¹⁰ (4) a graduated income tax; (5) postal savings banks; (6) government ownership and operation of railroads, telegraphs, and telephones; and (7) withdrawal from railroads and other corporations of all land in excess of their actual needs and the holding of the same for actual settlers.

The Popu-
list party

⁹ The Greenbacker vote in 1876 was 81,740; in 1880, 308,578; in 1884, 175,365. In 1888, 146,934 votes were cast for the Union Labor candidates.

¹⁰ In 1892 the per-capita circulation was \$24.60. In 1918 it had reached \$50.18.

Further the Populist platform of 1892 condemned "the fallacy of protecting American labor under the present system which opens our ports to the pauper and criminal classes of the world"; expressed cordial sympathy with "the efforts of organized workmen to shorten the hours of labor"; commended the initiative and referendum; and favored constitutional amendments limiting the President and Vice-President to one term, and providing for the direct election of Senators. In addition the party favored the Australian ballot, woman suffrage, primary elections and better registration; undoubtedly also its "propaganda in favor of independent voting did much to undermine the intense party loyalties that had followed in the wake of the Civil War." Looking back after the lapse of forty years it is easy to perceive that "many of the reforms that the Populists demanded, while despised and rejected for a season, won triumphantly in the end."¹¹

"Straddling" the silver question

From 1880 to 1892, inclusive, the Republican and Democratic parties dealt very gingerly with the issues on which Greenbackers and Populists were so outspoken. Particularly was this true of the silver question, which caused deep divisions of sentiment among the adherents of both the old parties. It was notorious that there were "Gold Democrats" and "Silver Democrats," "Silver Republicans" and "Gold Republicans." Never was the platform art of "straddling" more highly developed in order to hold discordant elements true to their traditional allegiance.

The tariff issue

So far as possible the old parties attempted to make the tariff the dominant issue of their campaigns during the twelve years under consideration. Even on this issue, however, caution prevailed, for there were divisions of sentiment regarding it on both sides. In 1880, and again in 1892, the Democratic party pronounced in favor of a tariff for revenue only, but in the two intervening campaigns it recognized in its platforms that reductions or revisions should make due allowance for the difference between the wages of American and foreign labor. The Republican platform of 1880 "reaffirmed the belief avowed in 1876, that duties levied for the purposes of revenue should so discriminate as to favor American labor." A somewhat stronger position was taken in the plank of 1884 which demanded "that the imposition of duties on foreign imports shall be made, not

¹¹ John D. Hicks, *The Populist Revolt: a History of the Farmers' Alliance and the People's Party* (1931).

'for revenue only,' but that in raising the requisite revenues for the government such duties shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer." Finally in 1888 the party came out "uncompromisingly in favor of the American system of protection."

The unbroken tenure of power enjoyed by the Republicans from 1860 to 1884 attracted mercenaries of every type into their ranks—"spoilsmen hunting offices, railway promoters seeking land grants and financial aid from the government, manufacturers demanding more discrimination in tariff legislation, and the great army of hangers-on who attached themselves to these leaders."¹² Hence the Democrats were in a strong strategical position which enabled them to criticize unsparingly the inefficiency, extravagance and corruption of the party in power. In self-defense, the Republicans made the most of their Civil War record, "waving the bloody shirt," as the saying of the time phrased it; also they boldly took credit to themselves for the rapid material growth and general prosperity of the country during this period.

Democratic
"outs" vs.
Republican
"ins"

An extraordinarily close balance of power existed between the two great parties from 1880 to 1892.¹³ In 1880 the Republicans were successful with Garfield; in 1884 the Democrats aided by Mugwumps, *i.e.*, Republicans who bolted Blaine, won their first victory since the Civil War. Harrison defeated Cleveland in 1888, but four years later Cleveland was returned to power. The extreme caution characterizing the platform utterances of the two parties during this period was partly due to their substantial equilibrium which made any innovation dangerous, as well as to the divisions of sentiment among the adherents of each of them even on major issues. Congressional elections reflected the same conditions. None of the four Presidents of this period ended his term of office without finding one or both legislative houses in the hands of the opposing party.

Close
balance of
power,
1880-1892

Caught thus in the political doldrums, positive legislation of any sort was extraordinarily difficult. Nevertheless, some be-

Important
legislative
acts

¹² Charles A. Beard, *The American Party Battle*, p. 91.

¹³ Garfield's popular plurality in 1880 was only 7,018, out of a total vote of over nine million. In 1884 Cleveland was elected with a popular plurality of 62,683; but in 1888 he was defeated in the electoral college, although he had a popular plurality of 98,017. Four years later he was again successful with a popular plurality of 380,810 out of a total vote of 12,059,351.

ginnings of importance may be noted. In 1883 the Pendleton Civil Service Act was passed; and in 1887 the Interstate Commerce Commission was created—neither being a partisan achievement. During Harrison's administration the McKinley tariff, the Sherman Anti-Trust Law, and the Sherman Silver Purchase Act were passed. The last named—a sop to silver and inflation sentiment—increased the government's purchases of silver to fifty million dollars a year, as compared with thirty million under the Bland-Allison Act of 1878. As the Senate was controlled by Republicans during the whole of Cleveland's first administration, Democratic legislation on the tariff was impossible. In 1894, during his second administration, the Wilson tariff bill, which also carried a provision for an income tax, was passed, but Democratic protectionists in the Senate so amended it that the President in disgust allowed it to become a law without his signature. Years of bitter struggle for tariff reform thus ended in a disgraceful fiasco.

Repeal of
the silver-
purchase
clause

Events during Cleveland's second term put an end to the state of party equipoise that had lasted for sixteen years. A disastrous panic in 1893 caused widespread suffering and greatly strengthened the radical Populist movement. To allay the panic the President, by an extraordinary exercise of his influence, secured the repeal of the silver-purchase clause of the Sherman Act. This step naturally incurred the bitter enmity of the silver element inside as well as outside his party. A decision by the Supreme Court that the income tax was unconstitutional further inflamed radical sentiment.

Silver
Democrats
control
convention
of 1896

As the convention year 1896 approached it became apparent that the Populist strength manifested in 1892 had tremendously increased, particularly in the West and South. In the latter part of the country it had grown to such an extent that it threatened Democratic control and even the political supremacy of the white race. Regardless of the influence of the administration and the strenuous opposition of the Gold Democrats of the East, Silver Democrats from the West and South controlled the Democratic National convention of 1896 by a two-thirds majority. They secured the adoption of a platform which recognized that "the money question is paramount to all others at this time" and demanded "the free and unlimited coinage of both silver and gold at the present legal ratio of 16 to 1 without waiting for

the aid or consent of any other nation." The revenue-tariff policy of the party was reaffirmed, but further agitation of the matter was deprecated until after the money question had been settled. Stricter control by the federal government of trusts and pools, and enlargement of the powers of the Interstate Commerce Commission were demanded. By implication the decision of the Supreme Court adverse to the income tax was criticized, and Congress was called upon "to use all the constitutional power which remains after that decision, or which may come from its reversal by the court as it may hereafter be constituted, so that the burden of taxation may be impartially laid, to the end that wealth may bear its due proportion of the expense of the government." William Jennings Bryan, one of the younger leaders of the radical element of the party, who had electrified the convention by his "cross of gold" oratory, was nominated for the Presidency.

The Republicans had already held their national convention three weeks earlier, drafting a platform which showed their intention of making protection the paramount issue of the campaign and nominating William McKinley of Ohio, the "advance agent of prosperity" and prophet of the "full dinner pail," for the Presidency. A free-silver plank was introduced by 110 Republican delegates from western states, who bolted when it failed and later formed a Silver party which supported Bryan. The money plank adopted by the regular Republican convention pronounced "unreservedly for sound money," and expressed opposition "to the free coinage of silver except by international agreement with the leading nations of the world, which we pledge ourselves to promote; until such agreement can be obtained, the existing gold standard must be preserved."

Bryan's nomination was accepted enthusiastically by the Populists, but they refused to indorse his running mate, Arthur Sewell of Maine, because he was a banker and presumably of conservative tendencies. The situation was further complicated by a bolt of the Gold Democrats, who held a convention in September and nominated candidates of their own.

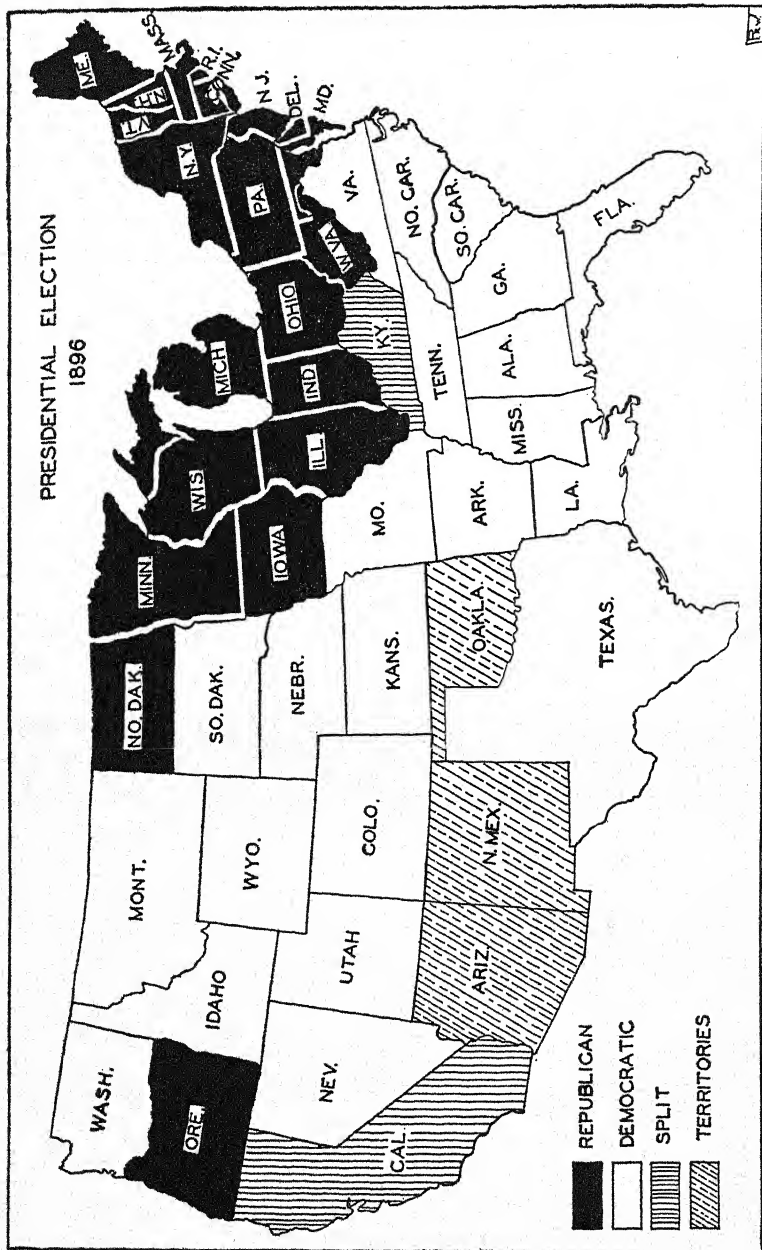
No campaign since the Civil War was contested with such intensity and bitterness as that of 1896. In spite of the efforts of the Republican leaders to push the tariff issue into the foreground, it was ruthlessly thrust aside by the "battle of the stand-

Republicans for
"sound
money"

Gold
Democrats
bolt

"Battle of
the
standards"

PRESIDENTIAL ELECTION 1896



■ REPUBLICAN
 □ DEMOCRATIC
 ▨ SPLIT
 ▩ TERRITORIES

ards"—gold *versus* silver. Discussion raged hottest over this point, but far greater interests were felt to be at stake. To the Bryan Democrats it was a struggle against the combined money powers, subtly corrupting and exploiting the government and people. To their opponents it was a fight against disorder, repudiation, dishonesty, and socialism.

The elements of a class struggle were involved—farmers, laborers and cross-roads storekeepers against large banking, commercial, and manufacturing interests. A new sectionalism made its appearance, the South and West against the North and East. Campaign funds of unprecedented size were employed. Bryan received considerable financial support from silver-mine owners, but the amount at his disposal was small indeed compared with the large contributions collected from the commercial and protected interests of the country by Hanna, chairman of the Republican National Committee. McKinley was successful in November by a vote of 271 to 176 in the electoral college, receiving a popular vote of 7,104,779 as against 6,502,925 for Bryan.

Class and sectional interests involved

In 1900 the same candidates for the Presidency headed the tickets of the two major parties. Bryan secured an indorsement of the silver plank of 1896, but the Democratic platform declared imperialism to be the paramount issue of the campaign, and denounced the colonial policy pursued by the administration in the possessions ceded by Spain at the close of the war of 1898. An aggressive anti-trust plank was also adopted. McKinley's administration received the warm indorsement of the Republican party, and he was again successful by a larger vote, both popular and electoral, than in 1896. At the same time Theodore Roosevelt was elected Vice-President, succeeding to the Presidency upon the assassination of McKinley six months after his inauguration.

Imperialism the paramount issue, 1900

A long-continued period of industrial depression followed the panic of 1893, but conditions improved somewhat with the clear-cut decision of the money question in 1896. After the conclusion of the Spanish-American War prosperity returned and a period of unexampled business expansion was inaugurated. Pools and combinations of railroads had profoundly affected the course of politics during the period from 1876 to 1896. The same centralizing tendency was now to manifest itself in the industrial field.

Business expansion

Between 1890 and 1900 the number of industrial combinations

Rise of industrial combinations proper grew from 18 with a total nominal capital of \$288,000,000, to 157 with a total nominal capital of \$3,150,000,000. By 1904, the leading trusts and railways of the country were more or less interlocked and connected under two great capitalistic groups. Questions arising from this enormous centralization of economic power inevitably took the center of the political stage and retained it until the outbreak of the World War.

Prices and wages Reversing the movement of the preceding period, the trend of general prices after 1896 was upward. Wages followed, but not so closely or generally as to prevent the emergence of the cost of living problem as a vital political question.

Campaign of 1904 The campaign of 1904 was apathetic to an extreme degree. Roosevelt's great personal popularity made his nomination by the Republicans inevitable, and he had the support of a united party in spite of the apprehensions caused in certain quarters by his vigorous expressions on the trust and other questions. The Democrats nominated Alton B. Parker of New York, a justice of the highest court of that state. Before their convention adjourned the candidate addressed a telegram to it declaring his unflinching adherence to the gold standard. Bryan thereupon announced that the party had fallen under the domination of Wall Street, although as a party regular he voted later for Parker.

Campaign contributions Near the end of the campaign the Democratic candidate repeatedly and specifically charged that the Republicans were systematically canvassing the corporation and trust magnates of the country for large contributions. Three days before the election Roosevelt denounced the statements made by Parker as "unqualifiedly and atrociously false." Public attention was concentrated upon the subject of campaign finances by this vivid incident, subsequent disclosures being of such a character that much reform legislation was enacted.¹⁴ The election of 1904 resulted in the worst defeat sustained by the Democratic party since the Civil War, but general lack of interest was shown in the total popular vote which fell nearly a quarter of a million below that of 1900.

Republican platform of 1908 Roosevelt declined a renomination in 1908, but was able to dictate the selection of Taft as his successor. The Republican platform of that year offered little that was new. However, it

¹⁴ For a critical discussion of Roosevelt's assertion see H. F. Pringle, *Theodore Roosevelt*, ch. vii. The reform legislation referred to above is discussed under the heading of Corrupt Practices Acts in ch. xiii of this book.

declared unequivocally for a revision of the tariff by a special session of Congress to be held immediately following the inauguration of the next President. On the trust question it claimed credit for the Sherman Act, adding that it should be strengthened by "such amendments as will give to the federal government greater supervision and control over and secure greater publicity in the management of that class of corporations engaged in interstate commerce having power and opportunity to effect monopolies." By a large majority the Republican convention voted down propositions emanating from LaFollette's adherents in favor of publicity of campaign contributions, physical valuation of railroads, and direct election of Senators—all of which found a place later in the Democratic platform of that year. In his speech of acceptance, however, Taft declared himself in favor of these policies with certain reservations.

The Democratic party returned to its former allegiance in 1908 by nominating Bryan, "the Peerless Leader," for the third time. Under his influence it accepted a plank on the trust question which, unlike many such pronouncements, was specific and detailed. It denounced private monopoly as indefensible and intolerable, demanded criminal prosecution of guilty trust magnates and officials, and proposed additional legislation which would make the existence of private monopoly impossible in the United States. Among such additional remedies it specified three: first, "a law preventing the duplication of directors among competing corporations"—*i.e.*, to prevent interlocking directorates; second, "a license system which will . . . make it necessary for a manufacturing or trading corporation engaged in interstate commerce to take out a federal license before it shall be permitted to control as much as twenty-five per cent of the product in which it deals, the license to protect the public from watered stock and to prohibit the control by such corporation of more than fifty per cent of the total amount of any product consumed in the United States"; and, third, "a law compelling such licensed corporations to sell to all purchasers in all parts of the country on the same terms, after making due allowance for cost of transportation." Once more, however, Bryan was defeated, but his party made a much better showing in the popular vote than it had done four years earlier.

Democratic
trust plank,
1908

At the beginning of Taft's administration the Republican party

Antag-
onism to
the
machine

had been in full control of the federal government for twelve years.¹⁵ It had decisively defeated the Democracy three times under the radical leadership of Bryan, and once, still more decisively, under the conservative leadership of Parker. Nevertheless, there was much internal dissension; indeed ever since the sound money victory in 1896 the agrarian element of the Republican party had felt that manufacturing and big business interests in the East and Northeast were receiving the lion's share of governmental favors. Farmers, particularly those in the western areas with small rainfall, were discontented: they wanted "prosperity to be passed around." It is true that since its virtual absorption by the Bryan Democracy the old Populist party had ceased to cast a vote of any considerable size in presidential elections. Nevertheless, its spirit was still active in a number of states, as shown by the rapid progress made by the initiative and referendum since 1898. Somewhat later the recall was introduced in various western cities and commonwealths. Beginning with 1903, direct primary legislation spread rapidly, finding favor even in the East. A new spirit was abroad in the land intensely hostile to machine rule and to "government by plutocracy," and wholly determined to subject them to control by popular power.

Growth of
Socialist
vote

Another evidence of political discontent was afforded by the growth of the Socialist vote. The Socialist-Labor party began its career in national politics by nominating candidates for the Presidency in 1892. Eight years later a fusion of more moderate Socialists was effected under the name of the Social-Democratic party, which was changed in 1901 to the Socialist party. The Socialist-Labor party refused to affiliate with the new movement, but its vote has remained negligible. On the other hand, the Socialists polled nearly a hundred thousand votes for their candidate, Eugene V. Debs, in 1900, and more than four hundred thousand in each of the two following national elections.

Republican
schisms

In spite of its preponderant strength and apparent unity at the beginning of Taft's administration, the Republican party soon developed serious internal differences. Immediately after his inauguration the President, acting upon the platform pledge of 1908, called a special session of Congress to deal with the tariff. The result was the passage of the Payne-Aldrich Act,

¹⁵ See the interesting table presented by C. E. Merriam, *American Party System*, p. 81.

which aroused great popular resentment. Whether rates were revised upward or downward President Taft's vigorous defense of the new tariff had the effect of unloading much of this resentment upon his own shoulders. His choice of R. A. Ballinger as Secretary of the Interior earned the determined and persistent enmity of the leaders of the conservation movement to which President Roosevelt had given such enthusiastic support during his administration. Appointments to the new Court of Commerce and selections for the five vacancies occurring on the bench of the Supreme Court also came in for much criticism. Although Taft pushed through the cases against the Standard Oil Company and the American Tobacco Company in the Supreme Court, securing orders for the dissolution of both these combinations, it became known that inner circles behind them took advantage of the resulting readjustments to secure large profits.

The cumulative effects of these and other causes for dissatisfaction took the form of an "insurgent" movement among Republican members of Congress. In March, 1910, a combination of insurgent Republicans and Democrats in the House of Representatives made a concerted attack upon the Speaker, Joseph Cannon, who had been widely criticized because of his use of the great powers of his office in the interest of the "reactionary" element. The Speaker was ousted from his membership on the Rules Committee, it was increased in size, and made elective by the House itself, thus taking the power of appointing it out of the hands of the Speaker. In the November election following this upheaval the Democrats gained control of the House for the first time in sixteen years.

Opposition to the administration took concrete form in January, 1911, when the National Progressive Republican League was organized under the leadership of Senator LaFollette of Wisconsin. Its program criticized the legislation recently enacted on the tariff, trusts, banking, and conservation, and declared in favor of direct primaries, direct legislation, and direct government generally. At the outset Roosevelt declined to join the new movement, but in his speeches and editorials he gradually aligned himself with its policies. Early in the campaign year 1912 he announced that "his hat was in the ring."

A bitter contest immediately broke out between Roosevelt

"Insurgents" of 1910

National Progressive Republican League

Roosevelt-Taft contest

and Taft for the control of delegates to the Republican national convention. By the exercise of administrative influence such as had often been employed in the past, the campaign managers of the latter were able to capture most of the delegates from southern states where the Republican vote was practically negligible. On the other hand, Roosevelt developed astounding strength in most of the states which had established the direct primary system, and in which the Republican vote was large. Also his supporters started contests wherever possible.

Republican platform of 1912

Carried to the floor of the convention, the contests were decided in favor of Taft, whose friends were in control of the machinery. Roosevelt's supporters thereupon bolted, and the delegates who remained proceeded without further opposition to the nomination of Taft. The platform declared the Republican party to be "now, as always, a party of advanced and constructive statesmanship"; stated that it was prepared to go forward with various forms of social legislation, especially such as would improve the condition of the working classes; reaffirmed the protective-tariff doctrine of the party; characterized the recall of judges as unnecessary and unwise, but favored judicial reform that would make court processes less tedious and costly; and proposed the creation of a Federal Trade Commission and the enactment of legislation supplementary to the Anti-Trust Act which would make its terms, particularly with regard to criminal offenses, clearer to the business world. Investigations were promised of the high cost of living and of agricultural credit methods.

Democratic convention of 1912

A few days later the Democratic national convention met at Baltimore. Encouraged by the party's victory in the congressional elections of 1910, and still more by the multiplying evidences of Republican disaffection, there was no dearth of presidential timber. The two most prominent aspirants were Speaker Champ Clark, who had developed considerable strength in the primary elections of a number of middle western states, and Governor Woodrow Wilson of New Jersey, who had put through a program of progressive legislation in that state which won him many ardent supporters throughout the country. Although not an avowed candidate, Bryan's influence was still potent. In the end it was thrown in favor of Wilson and against Clark because the latter refused to join in a movement to prevent the choice of a conservative Democrat as temporary chairman of the con-

vention. At one time Clark actually secured a majority of the votes of the delegates, but under the rules of the party a two-thirds vote was required for nomination. After a struggle lasting seven days, Wilson was finally victorious on the forty-sixth ballot.

The platform adopted at Baltimore declared that "the federal government under the Constitution has no right or power to impose or collect tariff duties except for the purpose of revenue." It charged that the excessive cost of living resulted in large measure from high tariff laws enacted by the Republican party, and from the trusts and commercial conspiracies fostered by such laws. The party's position of 1908 on monopolies and trusts was reaffirmed in somewhat more general terms. Further, the platform recommended a valuation of railroads, express companies, telegraph and telephone lines by the Interstate Commerce Commission. It held that labor organizations should not be regarded as illegal combinations in restraint of trade. Presidential primaries, the restriction of campaign contributions, and the prohibition of such contributions by corporations were also favored. At the instigation of Bryan, it was said, a resolution was adopted favoring a single presidential term, urging an amendment to the Constitution making the President ineligible for re-election, and pledging the candidate of the convention to this principle. There were also planks in favor of conservation of natural resources, development of waterways, investigation of agricultural-credit societies in foreign countries, and legislation to suppress "the pernicious practice of gambling in agricultural products by organized exchanges or others."

Democratic
platform
of 1912

Meanwhile Roosevelt's supporters were busily engaged in making arrangements for a Progressive national convention, which met in Chicago early in August. Among the delegates were eighteen women, some of whom took a prominent part in the proceedings. The platform adopted on this occasion was chiefly remarkable for the long and detailed list of industrial and social reforms which it contained. It also proposed a large number of political reforms, among them being direct primaries; presidential-preference primaries; the short ballot; initiative, referendum, and recall in the states; popular recall of judicial decisions denying the constitutionality under a state constitution of acts involving the use of the police power; an easier method of amending the

Progressive
convention
and platform
of 1912

federal Constitution; and equal suffrage for men and women. While affirming belief in the principle of protection, the tariff plank of the Progressive platform condemned the Payne-Aldrich Act, and favored a non-partisan, scientific tariff commission, and the immediate downward revision of those schedules wherein duties are shown to be unjust or excessive. For the regulation of trusts a strong administrative commission was urged to enforce complete publicity, and to attack unfair competition, false capitalization, and special privilege. Valuation of the physical property of railroads and the abolition of the Court of Commerce were also included. In language reminiscent of much more radical movements the Progressive platform denounced both the old parties as "tools of corrupt interests," declaring that "to dissolve the unholy alliance between corrupt business and corrupt politics is the first task of the statesmanship of the day." Roosevelt was unanimously nominated for the Presidency by the insurgents gathered in Chicago, Hiram Johnson of California becoming his running mate for the Vice-Presidency.

Election of
1912

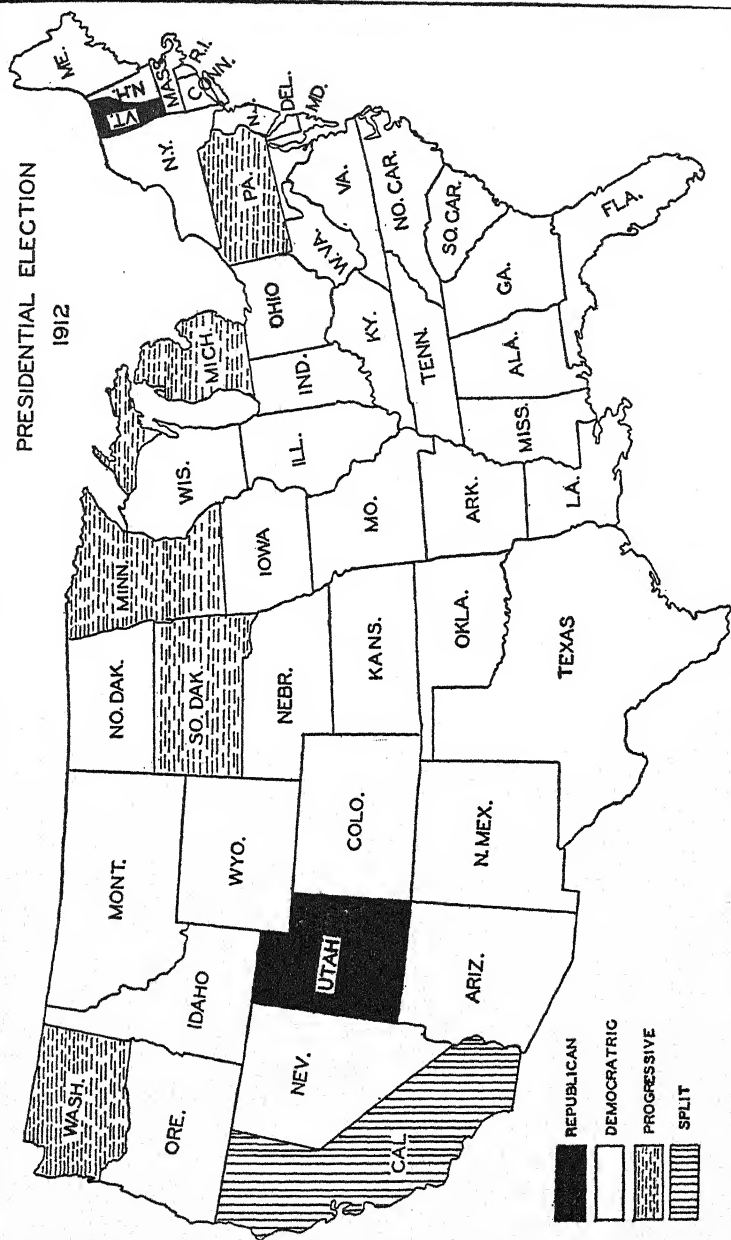
In the ensuing election—Armageddon indeed but not quite as the Progressive leader hoped—the Democrats carried every state except eight, six of which gave their electoral votes to Roosevelt,¹⁶ and two to Taft. The popular vote of the former exceeded that of the latter by more than six hundred thousand, but the two combined fell short of the vote for Taft in 1908. Owing to the division of the opposition, Wilson's majority in the electoral college was enormous, but his popular vote was only 40 per cent of the total. One of the greatest surprises of the election was the vote of the two Socialist parties, which leaped from 420,820 in 1908, to 897,011 in 1912.

BOOK NOTES

THE new and valuable party histories by Beard, Ford, Holcombe, Kent, and Myers, which were listed under the preceding chapter, carry over into the period from 1860 to 1912. In addition the following detailed studies have appeared since the publication of the first edition of this book: *H. K. Beale, *The Critical Year* (1930), which analyzes acutely the Johnson administration and particularly the Grant campaign in 1866; *C. G. Bowers, *The Tragic Era: the*

¹⁶ Including California, the electoral vote of which was divided, eleven for the Progressives and two for the Democrats.

PRESIDENTIAL ELECTION 1912



Revolution after Lincoln (1929), a vigorous study of reconstruction; *G. F. Milton, *The Age of Hate* (1930) dealing with the same period; E. D. Ross, *The Liberal Republican Movement* (1919), which is particularly useful on the campaign of 1872; *J. D. Hicks, *The Populist Revolt: a History of the Farmers' Alliance and the People's Party* (1931); and J. Chamberlain, *Farwell to Reform* (1932), a critical appraisal of the progressive era primarily in terms of its literature. An extraordinarily vivid picture of the campaign of 1896 is contained in *G. W. Stevens, *Land of the Dollar* (1898); also two rather sarcastic biographies have been published: M. R. Werner, *Bryan* (1929); and P. Hibben, *The Peerless Leader, William Jennings Bryan* (1929). A number of biographical studies have appeared which throw a flood of light on the Progressive movement, viz., *H. F. Pringle, *Theodore Roosevelt* (1931), admirably done, among countless volumes of laudation it stands out as the first really critical biography of Roosevelt; *C. G. Bowers, *Beveridge and the Progressive Era* (1932); *D. Richberg, *Tents of the Mighty* (1930), an autobiography with sympathetic yet penetrating comparisons of Bryan, Roosevelt, Wilson, and LaFollette. The American Political Leaders Series contains the following recent issues: H. J. Eckenrode, *Rutherford B. Hayes* (1930); W. A. Robinson, *Thomas B. Reed* (1930); R. G. Caldwell, *James A. Garfield* (1931); J. A. Barnes, *John G. Carlisle* (1931); and Allan Nevins, *Grover Cleveland* (1932).

Many of the historical works listed under Book Notes to the preceding chapter deal with party development since the Civil War, as shown by their titles or by the dates indicating the period covered. Especially worthy of repeated mention in this connection are the treatises by H. J. Ford and E. Stanwood, which are as valuable for the *post bellum* as for the *ante bellum* development of political parties. F. E. Haynes, *Third Party Movements* (1916), is a history of third-party movements in the United States since the Civil War, dealing with the Liberal Republicans, the Farmers' Movement of the 'seventies, the Greenback, Populist, and Progressive parties. F. Curtis, *The Republican Party, 1854-1904* (2 vols., 1904), naively glorifies party triumphs and forgets party failures, but is a rich mine of raw materials otherwise hard to obtain. Campaign textbooks issued by the various parties for 1912 and earlier presidential years are the most valuable official sources for platforms and popular arguments based thereon. A very convenient compilation of vest-pocket size, prepared by G. D. Ellis under the direction of South Trimble, clerk of the U. S. House of Representatives, and

issued as a public document, contains the *Platforms of the Two Great Parties, 1856-1932, inclusive* (1932).

The only comprehensive work of an historical character which deals with this period in complete form is J. F. Rhodes, *History of the United States from the Compromise of 1850* (7 vols., 1893-1906), covering the years 1850 to 1877, to which has been added by the same author a one-volume *History of the United States from Hayes to McKinley, 1877-1896* (1920). On a similar imposing scale E. P. Oberholtzer has begun a *History of the United States since the Civil War*, in five volumes, four of which have already been issued (1917, 1921), bringing the narrative down to 1888. Amid the wealth of materials presented by *Mark Sullivan, *Our Times—Turn of the Century, America Finding Herself, Pre-War America, The War Begins* (4 vols., 1926-'32), the sections dealing with presidential campaigns, issues and candidates from 1900 to 1912 are particularly well done and are always read with avidity by undergraduates.

Briefer historical works dealing with this period are as follows: J. W. Burgess, *Reconstruction and the Constitution* (1902); W. A. Dunning, *Reconstruction, Political and Economic* (1907); P. L. Haworth, *Reconstruction and Union* (1912); H. A. Herbert, editor, *Why the Solid South* (1890); E. B. Andrews, *History of the Last Quarter Century in the United States, 1870-1895* (2 vols., 1897); H. T. Peck, *Twenty Years of the Republic* (1906); C. A. Beard, *Contemporary American History, 1877-1913* (1914); P. L. Haworth, *The United States in Our Own Times, 1865-1920* (1920); C. R. Lingley, *Since the Civil War* (1921); W. Wilson, *Division and Reunion*, with additional chapters by E. S. Corwin, bringing the narrative down to 1918 (1921); F. L. Paxon, *The New Nation, 1865-1920* (1921); H. J. Ford, *The Cleveland Era* (1921); D. R. Dewey, *National Problems, 1885-1897* (1907); H. Howland, *Theodore Roosevelt and His Times* (1921); B. P. DeWitt, *The Progressive Movement* (1915); D. T. Lynch, *Grover Cleveland, Man of "Obvious Rectitude"* (1932); S. J. Duncan-Clark, *The Progressive Movement, 1913-1921*; C. Seymour, *Woodrow Wilson and the World War* (1921); and Allan Nevins, *The Emergence of Modern America, 1865-1878* (1927).

The biographical works cited in Book Notes under Ch. I afford many interesting side lights on the campaigns in which McKinley, Bryan, Roosevelt, Taft, Wilson, and others of that era figured. In addition the definitive biographies of *William McKinley* (2 vols., 1916) by C. S. Olcott; of *Grover Cleveland* (2 vols., 1923) by R. McElroy; and of *James A. Garfield* (2 vols., 1925) by T. C. Smith

are now available. While left in an unfinished condition the *Memoirs of William Jennings Bryan* (1925) may be consulted with profit on Democratic conventions from 1896 to 1912. Students should be required to compare the platform pronouncements of the various parties on economic issues with the conclusions reached by standard text-book writers such as Ely, Seligman, Taussig, Fetter, Seager, Johnson, Carver, and Gemmill.

CHAPTER VI

CAMPAIGNS AND ISSUES SINCE 1912

DURING the first year of Wilson's administration two legislative measures of prime importance were placed upon the statute book. One of these was the Underwood Act revising the tariff downward and imposing an income tax; the other was the Federal Reserve Act which reorganized the banking system of the country. In 1914 the trust problem was dealt with by the establishment of a Federal Trade Commission and the enactment of the Clayton Anti-Trust Law. Mexican conditions, which had long been threatening, took an acute turn in the latter year, with the result that Vera Cruz was seized by an American naval expedition and held until the downfall of Huerta. The outbreak of the World War in 1914 brought to an end, temporarily at least, the predominance in our politics of domestic economic issues. With the development of the bloody struggle in Europe the attention of our people was concentrated more and more upon the policies of the belligerents, the maintenance of neutrality, the safety of American life and property upon the high seas, the manufacture and export of munitions, and, in case intervention should become necessary, the proper measures of military and naval preparedness. To understand the rather indecisive attitude of both parties upon these issues in the campaign of 1916, it should be borne in mind that Germany did not inaugurate her policy of unrestricted submarine warfare until February of the following year.

Wilson's
adminis-
tration

In spite of the bitterness engendered by the schism of 1912, the great majority of Progressives who were formerly Republicans had returned to the latter party before the next national campaign. Nevertheless, a convention of Progressives was called to meet in Chicago at the same time as the regular Republican convention of 1916. Roosevelt was nominated for the Presidency by this Progressive convention, but he declined conditionally at the time and later threw his support to the Republican candidates. The names of both Roosevelt and Taft were presented at the regular Republican convention but neither had any considerable

Conven-
tions of
1916

following, and on the third ballot the nomination went to Charles E. Hughes, at the time one of the justices of the Supreme Court of the United States. For the Vice-Presidency Charles W. Fairbanks was nominated. A few days later the Democratic convention renominated President Wilson and Vice-President Marshall by acclamation.

Woman-
suffrage
planks

Aside from planks due to the Mexican trouble and the European War the most notable innovation in the platforms of 1916 was the acceptance by both parties of resolutions in favor of woman suffrage. Not that there was anything particularly startling about it; by state action the suffrage movement had now progressed so far that the women of twelve states were qualified to participate in the approaching presidential election. Shortly after the adjournment of the Republican convention, Hughes took ground in advance of his party by announcing himself in favor of a suffrage amendment to the federal Constitution. As a result he received the support of the National Woman's party, representing the more militant wing of the movement, which made a vigorous campaign for him in the suffrage states, apparently, however, without much success since ten out of the twelve gave their electoral votes to Wilson.

Planks on
Mexico

In its platform the Republican party assured the people of Mexico that it deeply sympathized with their sufferings at the hands of armed bands of desperadoes, and expressed horror and indignation at the outrages perpetrated upon American citizens by these bandits. The party pledged its aid to restore order in Mexico and promised our citizens on the border and living in that country "adequate and absolute protection in their lives, liberty, and property." The Democratic platform characterized Mexican conditions in much the same way as the Republican had done, but justified fully the course pursued by the President. "Intervention," it added, "implying, as it does, military subjugation, is revolting to the people of the United States, notwithstanding the provocation to that course has been great and should be resorted to, if at all, only as a last recourse." Both parties reaffirmed their devotion to the Monroe Doctrine, the Republicans declaring it essential to the achievement of the "manifest destiny of the country"; the Democrats pointing out that it implied the most scrupulous regard upon our part for the sovereignty of the other independent republics of the two Americas.

With regard to foreign relations the Republicans expressed a desire for "a peace of justice and right," and "a straight and honest neutrality," neither of which, they said, in words obviously meant to reflect upon President Wilson's policies, could be preserved "by shifty expedients, by phrase making, by performances in language, or by attitudes ever changing in an effort to secure groups of voters." Further, they expressed a belief in a "firm, consistent, and courageous foreign policy," and in "the pacific settlement of international disputes," recommending the establishment of a world court for the latter purpose.

Republican
platform
on foreign
relations

The Democratic platform, on the other hand, commended "the splendid diplomatic victories of our great President, who has preserved the vital interests of our government and its citizens, and kept us out of war." During the campaign this last phrase in particular played a great part in popular discussion, and doubtless decided the casting of many votes both for and against the Democratic nominees. Continuing on the subject of foreign relations, the platform held that the United States should use its power not only to make itself safe at home and secure abroad, but also to assist the world in securing settled peace and justice. Every people has the right to choose the sovereignty under which it shall live, small states should enjoy the same respect for their sovereignty and territorial integrity as great and powerful nations, and the world has a right to be free from every disturbance of its peace originating in aggression or in disregard of the rights of peoples and nations. "We believe that the time has come when it is the duty of the United States to join with other nations of the world in any feasible association that will effectively serve these principles." Finally, the Democratic platform contained several paragraphs which, while recognizing frankly the loyalty of the great mass of our foreign-born population, severely condemned the limited number among them who sought to advance the interests of a foreign power by crippling or destroying our industries or by intimidating the government, a political party, or representatives of the people.

Democ-
ratic
platform
on foreign
relations

"In order to maintain our peace," the Republican platform declared, "we must have a sufficient and effective regular army and a provision for ample reserves, already drilled and disciplined"; also "a navy strong and so well proportioned and equipped, so thoroughly ready and prepared, that no enemy can

Prepared-
ness

gain command of the sea and effect a landing in force on either our western or our eastern coast." Professing a similar devotion to peace and denying any desire for additional territory or for any advantage which could not be peacefully gained, the Democrats favored the maintenance of an army fully adequate to the requirements of order, safety, and national protection; the fullest development of modern methods of seacoast defense; an adequate reserve of citizens trained to arms; and a fixed policy for the continuous development of a navy equal to the international tasks which the United States hoped to perform.

Tariff and
other
issues

The Democrats unreservedly indorsed the Underwood Tariff law; the Republicans pronounced it a complete failure which, "but for the adventitious conditions created by the war, would long since have paralyzed all forms of American industry and deprived American labor of its just reward." In general the Republicans strongly criticized, while the Democrats just as strongly approved, the policies of the administration regarding trust regulation, rural credits, government ownership of merchant vessels, and transportation. It was noteworthy, however, that the Republican platform made no mention either of the income tax or of the Federal Reserve Act. Both platforms presented brief programs of industrial and social legislation.

Adamson
Act

Late in the campaign of 1916 a new issue was injected by the passage, under pressure from the administration, of the Adamson law. It provided that railway trainmen should be paid overtime on the basis of an eight-hour working day instead of the ten-hour day then customary. The law was bitterly denounced by the Republicans as unconstitutional.¹ Both the President and Congress were accused of having surrendered weakly to compulsion exercised by the railroad unions in a servile attempt to secure the labor vote. On the other hand, the Democrats approved the measure as a thoroughly fair and statesman-like solution of a difficult problem which had saved the country from the horrors of a general railroad strike.

Election of
1916

The election of 1916 was exceedingly close, the decision being in doubt for several days while returns were coming in from the rural districts of a number of western states. Hughes carried all of New England except New Hampshire; all the Middle At-

¹ It was sustained by the Supreme Court, however, in *Wilson v. New* (243 U. S. 332), 1917.

lantic states, including Delaware; all the Middle Western states except Ohio; and in addition West Virginia, Iowa, Minnesota, South Dakota, and Oregon, his total electoral vote being 254. With the exceptions named above Wilson carried every state south of the Mason and Dixon line and every state west of the Mississippi, besides breaking the Republican stronghold in the North and East by capturing Ohio and New Hampshire. His total vote in the electoral college was 277. The popular vote for Wilson was 9,129,269; for Hughes, 8,547,328. For the two Socialist tickets the total popular vote was only 604,759—a decline of over three hundred thousand as compared with 1912.

With the declaration of war by Congress, April 6, 1917, active partisan opposition to the major policies of the administration ceased for a time. A large number of men not connected with the party in power were called into the public service, including several Republicans of prominence. There was some advocacy of a coalition Cabinet, such as had been formed in several of the European belligerent countries, on the ground that it would avoid partisan criticism and struggle and thus strengthen the hands of the government in the conduct of the war.² Opponents of this proposal, which was not adopted, urged that power was already concentrated sufficiently in the executive, and that our constitutional and party systems differed so widely from those of European countries as to make the innovation unnecessary or even harmful.

Declara-
tion of war,
1917

This tacit, if somewhat limited, party truce lasted well into 1918. The Socialists alone had taken a definite stand against the war in their St. Louis platform, but they had only one member in Congress. On the whole President Wilson was justified in his laconic utterance, made as the summer of 1918 approached, that "Politics is adjourned." There were, however, wide differences of opinion regarding the conduct and purposes of the war among the leaders of both parties, which, of course, found critical utterance chiefly on the Republican side. Roosevelt denounced the President's fourteen points as thoroughly mischievous, and a number of his party colleagues condemned roundly the various notes sent to the German government.³ Republican leaders in-

"Politics is
adjourned"

² Cf. H. F. Pringle, *Theodore Roosevelt*, pp. 581-594.

³ J. M. Mathews, "Political Parties and the War," in *American Political Science Review*, vol. xiii, p. 225 (May, 1919).

licated their belief that the war was to be won not through diplomatic appeals to the German people to overthrow their masters, but through the use solely of military force.

Wilson's
appeal for
a Demo-
cratic
House,
1918

Absorbed in the stirring events amid which the World War was being brought to a close, the public gave little attention to the congressional elections of 1918. On October 24th, however, President Wilson made an appeal for the return of a Democratic majority to both the Senate and the House of Representatives. "This is no time," he urged, "either for divided counsel or for divided leadership." In the few days remaining before the election Republican leaders protested vigorously against the President's appeal as inconsistent with his former attitude, as revealing his purpose to assume personally powers of dangerous extent, and as reflecting unworthily upon the motives of their party. In the ensuing election they gained control of the Senate by a plurality of one, and of the House by forty-six votes.

League of
Nations

Upon the return of the President from Paris with the peace treaty including the League of Nations, fresh fuel was added to the flames of party controversy. While there were differences of opinion in both parties regarding these subjects, the Republicans furnished the bulk of the Senators who as "bitter-enders" opposed the treaty as a whole or who proposed major amendments to the League of Nations, while the Democrats supplied most of the Senators who supported the treaty either without change or with interpretative amendments only. The controversy was taken to the people by the President himself who suffered a nervous breakdown in the midst of the fray, and also by various senatorial leaders on both sides. With the failure of the Senate to approve the treaty it became apparent that the League of Nations would become the paramount issue of the presidential campaign in 1920.

Domestic
issues

Meanwhile various domestic issues, more or less submerged during the war, began to thrust themselves forward. There was grave industrial unrest, aggravated by the extremely high cost of living and made manifest by decreasing productivity and by strikes in basic industries, such as steel, coal, and transportation. The adoption of the Eighteenth Amendment, prohibiting the manufacture, sale, or transportation of intoxicating liquors, and the subsequent enactment of the Volstead Act, which defined intoxicating liquors as those containing one half of one per

cent or more of alcohol by volume, stirred anew the ancient conflict in both parties between the "wets" and the "drys." Within eleven months from the passage by Congress on June 11, 1919, of the federal suffrage amendment enfranchising women, thirty-five state legislatures had ratified, leaving only one more to be obtained, and thus naturally strengthening the pressure put upon both parties to secure final action.

On the Republican side the principal candidates for the presidential nomination were General Leonard Wood, Governor Frank O. Lowden of Illinois, Senator Hiram Johnson of California, and Senator W. G. Harding of Ohio. Among the Democratic leaders the most prominently mentioned possibilities were W. G. McAdoo, former Secretary of the Treasury; A. Mitchell Palmer, Attorney-General, and Governor James M. Cox of Ohio. Herbert Hoover, who unquestionably commanded a large and enthusiastic following in both camps, announced his adherence to the Republican party early in the campaign year, but failed to secure more than a minimum of support in the convention. At the close of the primary campaign the Kenyon senatorial committee was appointed to investigate alleged large campaign contributions and expenditures, disclosing facts which reflected upon a number of candidates, and severely damaged, if they did not render hopeless, the chances of at least two of the Republican aspirants.⁴

Candidates
in 1920

The Republican national convention was held at Chicago, June 8th to 12th.⁵ On the first ballot, taken Friday, June 11th, General Wood led by 287½ votes; Governor Lowden was second with 211½; Senator Johnson third with 133½ and Senator Harding fourth with 65½. With the exception of Senator Harding all these made gains during the day, especially Governor Lowden. On the first ballot of Saturday—the fifth taken by the convention—Lowden succeeded in overtopping Wood by four votes. The convention seemed to be facing a deadlock between these two, who led a neck-and-neck race on the sixth and seventh ballots, with the delegates sweltering in tropical heat and op-

Republican
convention
of 1920

⁴ For details of the Kenyon report see ch. xiii.

⁵ On the Republican national convention of 1920, see W. Lippmann, "Chicago, 1920," *New Republic*, vol. xxiii, p. 108 (June 23, 1920); F. M. Davenport, "Conservative America in Convention Assembled," *Outlook*, vol. cxxv, p. 375 (June 23, 1920); and A. W. Page, "The Meaning of What Happened at Chicago," *World's Work*, vol. xi, pp. 361-377 (August, 1920).

pressed by forebodings of rapidly mounting hotel bills. Under these untoward circumstances the action of party leaders who began throwing support behind Senator Harding soon brought results. On the seventh ballot he first received more than one hundred votes; on the eighth and ninth ballots the followings of General Wood and Governor Lowden began to disintegrate; and on the tenth ballot Senator Harding was nominated with 692 votes.⁶

Democ-
ratic
convention
of 1920

At the Democratic convention, held in San Francisco, June 28th to July 6th, a deadlock actually occurred between the three leading candidates.⁷ On the first ballot, taken Friday, July 2d, McAdoo led with 266 votes, Palmer receiving 256, and Cox 134. McAdoo continued in the lead until the eleventh ballot, when Cox passed him, retaining his advantage to the end of that day, Saturday, July 3d. The convention was forced to adjourn over Sunday, but with temperatures and hotel bills both considerably lower than at Chicago, there was a general determination among the delegates to take all the time that might be necessary to fight it out. Following the thirty-eighth ballot Palmer released his followers. In the resulting break-up Cox made the greater gains, and finally was successful on the forty-fourth ballot, with 701½ votes.

Republican
platform

At Chicago the draft of the platform as submitted by the Resolutions Committee was accepted by acclamation without a single amendment, after a minority report presented by one member of the committee had been voted down.⁸ The document which thus became the official program of the party was a lengthy one, running to something over six thousand words. It consisted of a short introduction containing a tribute to the Constitution, several paragraphs denouncing the Democratic administration with particular reference to its conduct of foreign relations, a somewhat briefer section praising the achievements of the Republican Congress, followed by the body of the plat-

⁶For an extremely interesting detailed account of the method by which the nomination was secured see H. M. Daugherty, *The Inside Story of the Harding Tragedy*, chs. i and ii.

⁷On the Democratic national convention of 1920, see B. Bliven, "San Francisco," *New Republic*, vol. xxiii, p. 196 (July 14, 1920); also unsigned article in the *Outlook*, vol. cxxv, p. 487 (July 14, 1920).

⁸Among other proposals this minority report, offered by E. J. Gross of Wisconsin, provided for the flat rejection of the League of Nations, and for government ownership of railroads, stockyards, etc.

form presenting planks on economic issues, social, political, and administrative reforms, and concluding with a paragraph which summed up the proposed policies of the party.

Upon the submission of the report of its Resolutions Committee the San Francisco convention was enlivened by a furious oratorical battle lasting nine hours. The fight was led by Bryan, who presented five proposed amendments to the platform, the most important of which was a "bone-dry" plank. After this had been rejected by a vote of nearly six to one, the convention also rejected by a vote of two to one a light-wine and beer plank offered by W. Bourke Cockran. In length the Democratic platform of 1920 yielded nothing to that of the Republicans. Beginning with a note of greeting to the President and of pride in the achievements of the administration under his leadership, it introduced at once the League of Nations plank. Other paragraphs followed dealing with the conduct of the war and the financial achievements of the administration. The body of the platform contained planks dealing with a large number of economic and other reforms, and in conclusion a fervent appeal was made on the basis of the party's record.

Democrat-
ic
platform

During the campaign of 1920 the League of Nations issue was undoubtedly paramount so far as public discussion was concerned. The Democratic platform favored the League "as the surest, if not the only practicable, means of maintaining the permanent peace of the world and terminating the insufferable burden of great military and naval establishments." In the Republican convention it was known that there was the sharpest possible difference of opinion regarding the issue. Johnson, Borah, McCormick and other irreconcilables opposed the League treaty in any form. Others favored its acceptance with reservations of various kinds. Rumors of a bolt on the issue were rife prior to and during the Chicago convention. Nevertheless, after forty-eight hours of deliberation the Committee on Resolutions succeeded in evolving a formula which was accepted enthusiastically by the convention. Instead of *the* League of Nations it favored *an* international association—a distinction so much insisted upon later that it led to the remark that the campaign of 1920 was a contest between the definite and indefinite articles. The international association desired by the Republicans was to be based on justice, it was to provide methods to maintain the rule of public right

League of
Nations
issue

by the development of law and the decision of impartial courts, and finally it was to secure instant and general international conference whenever peace shall be threatened.

League of Nations in the campaign

It is undeniable that the Republican plank on the League of Nations was interpreted by leaders and orators of that party with great latitude during the campaign. Irreconcilables announced it to mean isolation pure and simple. On August 28th Senator Harding said: "If the League has been so entwined and interwoven into the peace of Europe that its good must be preserved in order to stabilize the peace of that continent, then it may be amended or revised"; on September 5th, "We are all agreed now that amendment or revision and reconstruction is better than reservations." Later, however, at Des Moines he declared himself "against the proposed League," and said, "I do not want to clarify these obligations; I want to turn my back on them; it is not interpretation but rejection I am seeking."⁹ On the other hand, thirty-one prominent citizens, including such well-known Republican leaders as Root, Hughes, Hoover, and Wickersham, together with a number of college presidents headed by Lowell of Harvard, signed a statement given to the press on October 15th, in which they said in part: "We have reached the conclusion that the true course to bring America into an effective league to preserve peace is not by insisting with Mr. Cox upon the acceptance of such a provision as Article X, thus prolonging the unfortunate situation created by Mr. Wilson's insistence upon that article, but by frankly calling upon the other nations to agree to changes in the proposed agreement which will obviate this vital objection and other objections less the subject of dispute. For this course we can look only to the Republican party and its candidate; the Democratic party and Mr. Cox are not bound to follow it. The Republican party is bound by every consideration of good faith to pursue such a course until the desired object is attained."

Other influences affecting voters

While the League of Nations issue occupied the center of the stage so far as public discussion was concerned, there can be no doubt that large masses of voters were influenced in 1920 to a greater degree perhaps than is usual in campaigns by their immediate preoccupations, particularly by irritation over war burdens and war taxes, the high cost of living, strained relations

⁹ "The League Issue," *Nation*, vol. cxi, p. 438 (Oct. 20, 1920).

between capital and labor, the housing shortage, coal scarcity, and transportation difficulties. Citizens of foreign extraction were also swayed to a larger degree than ever before by national antipathies brought with them from Europe and now greatly exacerbated by the war. To all these elements the Harding slogan, "Back to Normalcy," made a direct appeal.

The result of the election was a landslide for the Republican candidates, who received the enormous plurality of seven million votes, 16,152,200 being cast for Harding and Coolidge as compared with 9,147,353 for Cox and Roosevelt. Harding carried all the states in the Union except Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Texas and Virginia. For the first time in a generation the "solid South" was broken, Tennessee shifting to the Republican column with a majority of 13,000. In the electoral college Harding and Coolidge received 304; Cox and Roosevelt, 127 votes.

The vote in
1920

Any doubt as to President Harding's course regarding the League of Nations was dissipated by his inaugural address. As he phrased it later he did not propose to enter the League "by the side door, or the back door, or the cellar door." On July 2, 1921, the President signed the joint resolution under which separate peace treaties were negotiated with Germany and Austria, both of which, however, expressly reserved to the United States all rights accruing to it under the Treaty of Versailles. The whole weight of the administration was thrown behind the Washington Conference for the Limitation of Armament (November 12, 1921-February 6, 1922), resulting in the Four-Power Pacific Treaty and the Five-Power Naval Treaty. Early in 1923 President Harding recommended to the Senate adhesion by the United States to the protocol establishing the Permanent Court of International Justice, however with reservations keeping us wholly free from any legal relation to the League.

Foreign
relations

With the accession of the new administration public interest shifted rapidly from foreign to domestic affairs. An emergency tariff bill was rushed through the first special session of the 67th Congress, remaining in effect until superseded by the Fordney-McCumber Tariff of September 21, 1922, which materially stiffened protective duties. A Soldiers' Bonus bill was vetoed, September 19, 1923, the effort to carry it over the veto failing of the necessary two-thirds vote in the Senate. Perhaps the greatest

Domestic
issues

single advantage enjoyed by the administration was the opportunity, afforded by the change from a war to a peace basis, to reduce the swollen personnel and expenditures of the government and to claim credit for resulting economies and tax reductions. Nevertheless financial depression prevailed following the autumn of 1920 and the country was disturbed by strikes of coal miners and railroad shop-workers. Acute agricultural maladjustment set in, enabling the Non-partisan League to gain striking victories and presaging party insurgency in the West and Northwest. Cutting across economic lines the prohibition question would not down, and there was a startling recrudescence of racial and religious bitterness. A new Ku Klux Klan arose, directed not so much against the Negro as against the foreign element and the Roman Catholic Church. It was by no means confined to the South, being strong enough in many western and northwestern states to control local and state elections.¹⁰

Teapot
Dome and
other
scandals

Even before the sudden death of President Harding, August 2, 1923, charges of inefficiency and corruption were made freely against certain branches of the federal administration. An investigation of the lease of the Teapot Dome Naval Oil Reserve developed such damaging facts that Secretary of the Interior Fall resigned March 4, 1923. But the full force of this investigation and of others directed against the Veterans' Bureau and the Department of Justice was not felt until early in 1924 when Secretary of the Navy Denby and Attorney-General Daugherty resigned. Moreover the congressional elections of 1922 had cut the unwieldy majority of the Republicans to a narrow margin. With the convening of the 68th Congress in December, 1923, full advantage of this situation was taken, particularly by the farm bloc, to demonstrate balance of power tactics, much to the embarrassment of the Coolidge administration.

Coolidge
policies

From the time of his accession President Coolidge had pursued an ultra-cautious policy in dealing with both domestic and foreign problems. Taciturnity and economy became the watchwords of the day. Aided by the return of peace-time conditions large reductions were made in federal taxation relieving recipients of small incomes considerably and the very rich to a much greater degree. When the scandals of the Harding régime were

¹⁰ See S. Frost, *The Challenge of the Klan* (1924), and J. M. Mecklin, *The Ku Klux Klan* (1924).

dragged into the light by Senators LaFollette and Walsh the President did what was necessary to clean them up, however without showing any great moral fervor in the process. On prohibition Coolidge's policy of silence was complete; in general he avoided the stirring up of any animosities which might tend to disrupt the party. Unquestionably it was extremely fortunate for the Republicans that they did not have to face the country in 1924 with Harding still on their hands. Nevertheless the campaign year opened with the economic horizon heavily overcast, broken in June by one gleam of sunshine—the upward trend of grain prices. On the other hand agricultural discontent persisted, offering every encouragement to the LaFollette movement.

While neither was significant in any fundamental way the campaigns of 1924 and 1928 at least served to reveal the sharp cleavages which exist in each of the two great parties. In the former year Republicans found themselves faced with a revolt of the agrarian wing of the party; in the latter, while no open bolt occurred, Democrats suffered severely from the desertion on a large scale of their southern supporters. The leader of the third-party movement in 1924 was Senator Robert M. LaFollette of Wisconsin, then "sixty-nine years young" as his campaign biography put it,¹¹ hitherto a technically regular Republican of strong progressive proclivities and still resentful because he had been thrust aside by Theodore Roosevelt in 1912. Following the conventions of the two major parties a Conference for Progressive Political Action met at Cleveland early in July, 1924, which drafted a platform and nominated LaFollette for the Presidency, selecting as his running mate Senator Burton K. Wheeler of Montana, a Democrat noted for his opposition to corporation influence in the politics of his state and elsewhere.

The platform adopted by the Cleveland conference of Progressives stated that "almost unlimited prosperity for the great corporations and ruin and bankruptcy for agriculture is the direct and logical result of the policies and legislation which deflated the farmer while extending almost unlimited credit to the great corporations." Similarly exorbitant tariffs, excessive freight rates, and gambling by grain speculators were denounced as enriching industry and commerce at the expense of agriculture.

¹¹ *The Facts, LaFollette-Wheeler Campaign Text-book, 1924, p. 4.*

LaFollette
Progressives

LaFollette
platform
1924

Economic policies based on this interpretation of the situation were presented in detail. Labor was appealed to by planks favoring the prompt ratification of the Child Labor amendment, the abolition of the use of injunctions in labor disputes, and proclaiming the right of farmers and industrial workers to organize, to bargain collectively and to conduct cooperative enterprises. While economic issues enlisted the main interest of the LaFollette Progressives certain political measures of a radical character were also proposed at the Cleveland conference, among them several constitutional amendments, one providing that "Congress may by enacting a statute make it effective over a judicial veto"; another providing "for the election of all federal judges, without party designation, for fixed terms not exceeding ten years, by direct vote of the people," and a third favoring the application of the initiative and referendum to federal legislation and insuring a popular referendum for or against war except in case of actual invasion.

Conven-
tions and
campaign
of 1924

Presidential primaries in 1924 demonstrated on the Republican side the great vote-getting strength of President Coolidge, who was nominated by an overwhelming majority on the first ballot at the Cleveland convention. On the Democratic side W. G. McAdoo was well in the lead, although his prestige had been damaged somewhat because of his professional relation as attorney to the oil magnate, E. L. Doheny.¹² At Cleveland the Republican convention was devoid of interest except for the use of the steam roller against the LaFollette delegates. On the other hand the Democratic convention in New York was marked by the long drawn-out contest between McAdoo and Smith for the nomination and by the dramatic fight over the Klan, both of which inflicted deep wounds in the party. Not until 103 ballots had been taken was a nomination made—a dark horse, John W. Davis of West Virginia, being selected as the party's standard bearer. By means of the radio many thousands of listeners-in were enabled for the first time to follow proceedings on the floor of the conventions.

Scandals
of 1924

Naturally the Democrats made every possible use in their campaign of the Teapot Dome and other scandals. Republican

¹² L. Overacker, *The Presidential Primary* (1926), presents a thorough study of the history and workings of presidential primaries with tables showing the vote cast therein from 1912 down to and including 1924.

strategy was well summed up in the slogan: "Coolidge or Chaos." It consisted largely in ignoring Democratic attacks and in pointing out the alleged danger of the more radical proposals of LaFollette, notably that favoring a constitutional amendment whereby Congress should be given power to override a judicial veto. The possibility that the presidential and vice-presidential elections might be thrown into the House and Senate was also emphasized to the utmost by Republican orators.

After the Communist schisms of 1919 and 1920 the Socialist party found itself reduced to a membership of hardly more than twelve thousand. Weakened to this degree it decided, contrary to its usual rule of action regarding candidacies of non-Socialists,¹³ to merge itself as an educational force in the broader LaFollette movement of 1924. Owing to unfavorable judicial decisions the followers of the Wisconsin senator were compelled to present his name upon different party tickets in various states, using for this purpose one or two of the following titles: Progressive, Farmer-Labor, Labor, Non-Partisan, and Socialist—in California they were able to preempt only the last of these. With ballots collected under all the above captions LaFollette received 4,822,856 votes—16.5 per cent of the total cast in 1924. Davis received 8,386,503 or 28.8 per cent, and Coolidge, 15,725,016 or 54 per cent.¹⁴ In the electoral college Davis carried twelve states, all of them south of the Mason and Dixon line. LaFollette carried only his own state, Wisconsin. However in twelve others, all in the Northwest and Far West, he ran ahead of Davis—a fact which demonstrates the wide range of the agricultural discontent then prevalent. The remainder, amounting to a little more than one half of one per cent of the total popular vote, was divided among five minor parties.

Following his triumphant election in 1924 President Coolidge continued the policies which he had inaugurated after the death of President Harding. Undoubtedly he could have been nominated again, thus breaking the anti-third-term tradition; however on August 2nd, 1927, he issued one of the shortest announcements ever made by an American statesman, *viz.*, "I do

¹³ See ch. viii below.

¹⁴ For a statistical analysis of the popular vote of 1924 see H. L. Keenleyside, "The American Political Revolution of 1924," *Current History*, vol. xxi, pp. 833-840 (March, 1925).

Election
of 1924

not choose to run for President in 1928." Immediately a strenuous fight for delegates was begun, Secretary Hoover being most successful on the Republican side, although he won the primaries only in those states where he had no opposition or where he ran against other than favorite sons. On the Democratic side Governor Alfred E. Smith of New York was more fortunate in the seventeen presidential primary states, although he too was defeated by three or four favorite sons in each of their respective states.¹⁵

Republican
platform
1928

At the Republican convention of 1928 farm relief and prohibition proved to be the principal bones of contention. Following in his father's footsteps Senator Robert M. LaFollette, Jr., of Wisconsin offered a minority platform which was voted down overwhelmingly. What agricultural organizations demanded was the "equalization fee," providing for the sale abroad by the government of surplus crops, assessing the cost of such marketing against the commodity benefited. However "the convention was under the domination of the eastern and northeastern industrial elements of the party who had already made up their minds against the farm relief solution under debate."¹⁶ Accordingly after a spirited discussion the report providing for the equalization fee was defeated by a vote of 807 to 277. As finally adopted the Republican platform admitted that the prosperity of the country, for which it claimed very large if not exclusive credit, was sadly marred by "the general depression in a great basic industry"—agriculture. To give relief the party proposed the creation of a Federal Farm Board, favored the establishment of a federal system for the cooperative and orderly marketing of farm products, and pledged itself to other measures "which will place the agricultural interests of America on a basis of economic equality with other industries."

Democratic
platform
1928

The Democratic platform of 1928 also held that economic equality of agriculture with other industries should be brought about. In particular President Coolidge was criticized for his two vetoes of farm relief bills; in general the Republican party was accused of having practiced deception upon the farmer for more than fifty years, meanwhile granting artificial aid to spe-

¹⁵ For details see R. V. Peel and T. C. Donnelly, *The 1928 Campaign*, p. 13 *et seq.*

¹⁶ R. V. Peel and T. C. Donnelly, *op. cit.*, p. 26.

cially favored industries. While the Democratic platform did not accept the equalization fee by title, it admitted the need of the control and orderly handling of agricultural surpluses "in order that the price of the surplus may not determine the price of the whole crop." Creation of a Federal Farm Board, credit aid to co-operatives and various other relief measures were also proposed.

On prohibition both parties dodged as far as possible by pledging themselves to law enforcement; the Republicans even going back to George Washington for a quotation on the latter subject, while the Democrats criticized the administration for having failed flagrantly in the proper administration of the dry laws. However before the Houston convention adjourned Governor Smith, the nominee for the Presidency, sent a telegram announcing his belief that there should be a fundamental change in the existing provisions for national prohibition and promising his leadership toward a sane, sensible democratic solution of the problem, which, without bringing back the saloon, would put an end to the corruption, bootlegging and lawlessness prevalent throughout the country. During the campaign he further defined these rather general statements by proposing, first, an amendment to the Volstead Act giving a "scientific definition of the alcoholic content of an intoxicating beverage" under which states could operate as they chose; and, second, an "amendment to the Eighteenth Amendment" permitting each state after approval by referendum vote to establish its own system of liquor control presumably on the models employed in Canada and Sweden, but guarding against the return of the saloon. To the issue thus injected into the campaign by the Democratic candidate rather than by his party, Hoover's principal contribution was the statement that he regarded prohibition as "a great social and economic experiment, noble in motive and far-reaching in purpose," which "must be worked out constructively."

Prohibition
1928

On tariff also the margin between the Democratic and Republican platforms of 1928 was slight. As usual the latter maintained that the abolition of protection would bring the American standard of living down to the level of that in Europe. Breaking with their earlier tradition the Democrats went so far as to accept the principle that "actual difference between the cost of production at home and abroad, with adequate safeguard for

Tariff
1928

the wage of the American laborer, must be the extreme measure of every tariff rate."

Importance
of issues
in 1928

According to a careful analysis of the campaign of 1928 the issues which figured in it, taking the country as a whole and judging them by the frequency of their employment, their effectiveness and their importance, were as follows: (1) prosperity; (2) prohibition; (3) fraud and graft; (4) religion; (5) water power; (6) relief of agriculture; (7) governmental economy and reorganization; (8) foreign affairs.¹⁷ Striking evidence that economic lines were not sharply drawn between the parties is afforded by the fact that in the above list only three topics (the first, fifth, and sixth) are primarily of that character. Moreover neither water power nor the relief of agriculture commanded any large share of attention outside the sections immediately interested. And as to prosperity it must be conceded that the subject was handled largely for political effect, regardless of any light which economic science might throw upon it. Hoover as candidate solemnly asserted, in words that returned to trouble him greatly four years later: "We in America today are nearer to the final triumph over poverty than ever before in the history of any land. . . . Given a chance to go forward with the policies of the last eight years, we shall soon, with the help of God, be in sight of the day when poverty will be banished from this nation. There is no guaranty against poverty equal to a job for every man. This is the primary purpose of the policies we advocate." In reply Democratic orators were at a disadvantage owing to the glories of the Big Bull Market then still in dizzy ascent, but they pointed out the extremely spotted nature of the prevailing prosperity, cited statistics showing the needs of farmers and the number of the unemployed, and referred with heavy sarcasm to the alluring slogans emanating from their opponents about "a chicken for every pot" and "two cars in every family's garage."

Religious
animosities
in 1928

In the *American Commonwealth* Bryce remarked upon the freedom of American politics from religious animosities.¹⁸ Had he survived to witness the campaign of 1928 the passage referred to would have required considerable qualification. Natu-

¹⁷ R. V. Peel and T. C. Donnelly, *op. cit.*, p. 52.

¹⁸ Cf. vol. ii, chs. cx, cxi.

rally much of the attack upon the Democratic candidate because of his Roman Catholicism was carried on by means of a whispering campaign; nevertheless immense quantities of printed propaganda were distributed by such "non-partisan" organizations as the Sons and Daughters of Washington and the Ku Klux Klan. Many minor Republican orators did not hesitate to appeal openly to the religious prejudices of their hearers; even so prominent a figure as Senator Moses, the eastern campaign manager of the party, involved himself by making public use of the anti-Catholic appeal. Hoover, however, declared that such sentiments "give violence to every instinct I possess." In spite of this disclaimer, attacks upon Smith because of his religious beliefs continued to the end of the campaign. Since the supporters of prohibition were for the most Protestants it was difficult to estimate the separate effectiveness of propaganda on the two lines; however competent observers in the South and West felt certain that prohibition served in many cases as a smoke-screen for bigotry.¹⁹

The result of the election of 1928 was another Republican landslide, the popular vote of that party being 21,385,413 as compared with 14,980,778 cast for the Democratic candidates. In the electoral college Hoover carried all but ten states, receiving a total of 444 votes to 87 for Smith. The latter lost his own state—New York; he carried eight states only, all in the lower South except Massachusetts and Rhode Island. Two small crumbs of comfort could be extracted by Democrats from their defeat; first, Smith's popular vote was nearly six millions larger than that received by any Democratic candidate in the past; second, it represented a considerably higher percentage of the total than was received by Davis in 1924 or by Cox in 1920.²⁰

Election
results
1928

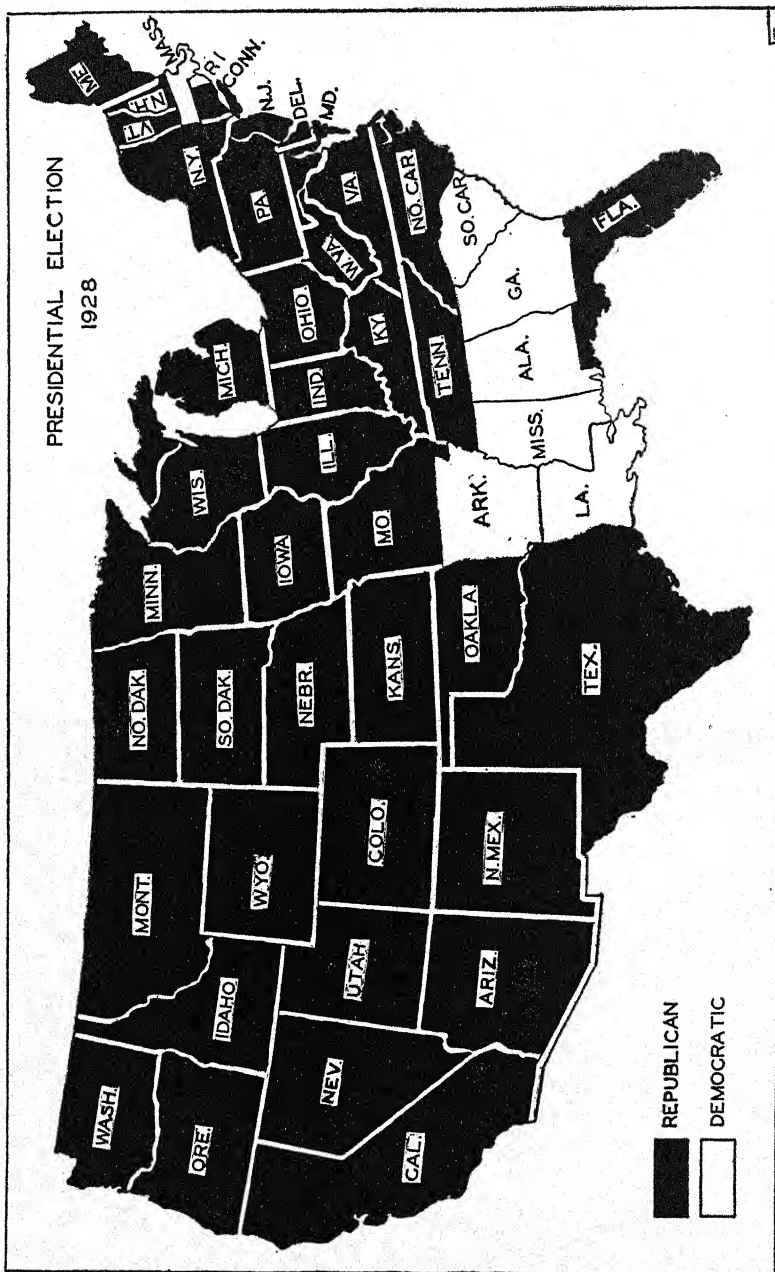
Judging by the presidential elections of 1920, 1924, and 1928, the number of Republican voters in the country is much larger than the number of Democratic voters; nevertheless to assert, as is sometimes done, that the excess of the former amounts to six millions is to forget 1912 and 1916 and to lay too much stress on the results from 1920 to 1928 inclusive—a form of political

Republican
predom-
inance?

¹⁹ Peel and Donnelly, *op. cit.*, p. 63.

²⁰ According to the table given in the *World Almanac*, 1931, p. 991, the percentage of the total popular vote received by the Democratic candidate for the Presidency was as follows: 1920, 34.2; 1924, 28.8; 1928, 41.2.

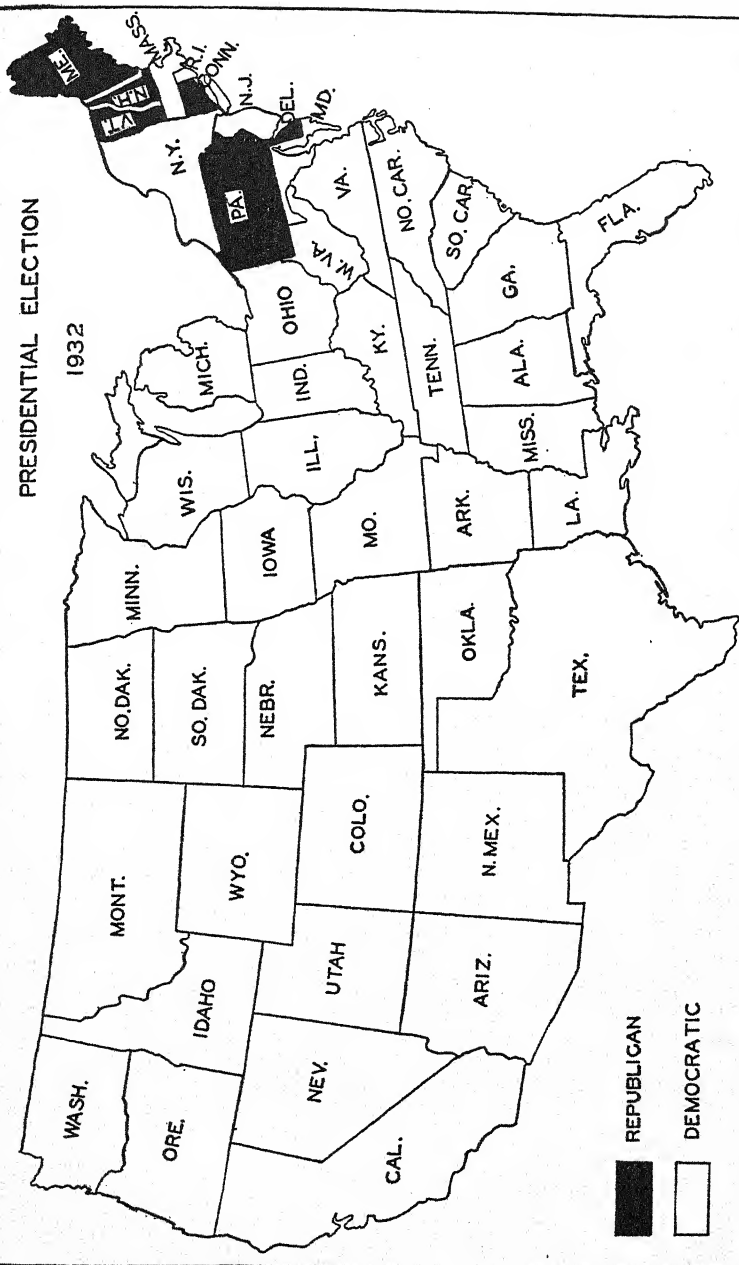
PRESIDENTIAL ELECTION
1928



PRESIDENTIAL ELECTION

1932

REPUBLICAN
 DEMOCRATIC



arithmetic likely to prove misleading in the future.²¹ Even accepting the excessive figure quoted above it represents a sixth only of the total vote of 36,736,396 cast in 1928. Neither should one overlook the significance of the fact that Smith received six and a half million more votes in 1928 than were cast for Davis four years earlier, nor the further fact that LaFollette also polled close to five million votes in 1924. A few years ago an acute student of election returns remarked that "the very size of the Coolidge majorities points to a weakening not of one party merely but probably of all party loyalties."²² Given the sweeping change of conditions that has occurred since 1928 as reflected in the election of 1932, the force of this statement may now be appreciated fully. In any event there is little present likelihood that the two-party system or either of the two older parties is doomed to disappear. Nor were the results in 1928 encouraging to third parties; all of them combined cast slightly less than one per cent of the total popular vote of that year.²³

Solid (?)
South in
1928

Of course the most striking feature of the 1928 election was the break-up, temporarily at least, of the Solid South. Hoover carried in that section the following states: Florida, North Carolina, Tennessee, Texas, and Virginia—all of which, with the single exception of Tennessee in 1920, had aligned themselves in the Democratic column ever since the days of Reconstruction. In addition he carried the border states of Kentucky and Maryland, although these have gone Republican on other occasions. It was remarked earlier that the election of 1924 revealed the fundamental cleavage in the Republican party between the industrial,

²¹ The greater strength of party loyalty during the preceding period is clearly reflected in election figures. Thus the Republicans won in the four campaigns from 1896 to 1908 inclusive with a popular vote that, for the period as a whole, varied less than 700,000 in a total each time of over 7,000,000. In the three Bryan campaigns (1896, 1900, and 1908) the popular vote of the Democratic party varied by little more than 100,000 in a total each time of over 6,000,000. The only sharp loss of Democratic votes during this period was in 1904, Parker as the nominee receiving 1,275,000 fewer votes than were cast for Bryan four years earlier. Even so the Republican vote of 1904 remained normal and was in round numbers only two and a half millions greater than the Democratic vote.

²² A. W. Macmahon, Supplement, *Pol. Sci. Quar.*, vol. xl, p. 52 (March, 1925).

²³ There were five such parties in 1928, their vote, according to Peel and Donnelly, *op. cit.*, p. 170, being as follows: Socialist, 267,750; Workers (Communist), 48,465; Socialist-Labor, 21,562; Prohibition, 20,101; Farmer-Labor, 6,390.

banking and commercial groups of the North and East on the one hand, and, on the other, the agrarian elements of the Northwest which were led, unsuccessfully, in revolt by LaFollette. Similarly the election of 1928 revealed the fundamental cleavage in the Democratic party between its urban elements in the North and East—those “mobs of the great cities” feared by Jefferson—partly Catholic and foreign, also largely wet, on the one hand, and its southern native white, Protestant, dry and largely rural elements on the other hand.²⁴ To what extent the “Hoovercratic” defection of 1928 in the South was due to prohibition, to religious feeling, to the industrialization of that section, or to other issues is open to dispute. In any event, the leaders who abandoned the Democratic party in Virginia, Texas, and North Carolina have been repudiated subsequently; moreover since 1928 prohibition has lost ground manifestly in this as in other parts of the country. Nevertheless four years later it was still obvious that southern and western delegates to the Democratic national convention desired above all things to block Smith’s candidacy. With Franklin Roosevelt as the choice of the party in 1932 the religious issue which proved so troublesome in the Smith-Hoover campaign disappeared for the time being at least from the political stage.

President Hoover promptly redeemed one of the platform pledges of 1928 by the establishment of a Federal Farm Board, which, however, was unfortunate in its price stabilizing operations and availed little to appease agricultural discontent. No administration has been more prolific in commissions of every sort; among them by far the most conspicuous was the Wickersham Commission.²⁵ Its report on prohibition enforcement while failing to show agreement as to a definite solution of the problem nevertheless contains a wealth of detailed information. In spite of the protests of more than one thousand economists, President Hoover signed the Smoot-Hawley bill (1930), raising protective tariff rates still higher. But, of course, the most important by far of the events occurring during his administra-

Hoover
adminis-
tration

²⁴ André Siegfried, *America Comes of Age*, ch. xix, analyzes in a very interesting manner the opposing groups which make up the Democratic party. Peel and Donnelly, *op. cit.*, p. 123, distinguish four large voting groups in the United States, two urban, two rural, and discuss the trend in each as shown by the election returns of 1928.

²⁵ House Document 722, 71st Congress, 3d Session, January 7, 1931.

tion was the collapse of the Big Bull Market in October, 1929, followed by further toboggan slides of stock prices.²⁶ To agricultural distress which was greatly aggravated by the drought of 1930, has now been added industrial and commercial stoppage with millions of unemployed. This catalogue of catastrophes and the measures adopted by the administration to cope with them—notably the suspension of German debt payments for one year, the formation and operations of the National Credit Association, the Railroad Credit Corporation, and the Reconstruction Finance Corporation—furnished the principal campaign issues of 1932.²⁷

Two great
periods of
our party
history

Summarizing the whole sweep of American party history two great periods may be discerned. During the first of these (1792-1860), the Democratic party was predominant, driving from the field first the Federalists in 1820, and then the Whigs in 1856. Constitutionally the two latter parties represented centralizing tendencies; economically they drew support chiefly from commercial and industrial groups. On the other hand the triumphant Democracy of Jefferson and Jackson was decentralizing in tendency and drew its majorities largely from the agricultural population of the country.

Since the
Civil War

The second great period in American party history extends from 1860 to the present time. During this period the Republican party has been predominant. It continues the traditions, constitutional and economic, of the Federalists and the Whigs, but in addition to the support of industrial and commercial groups it has succeeded usually in securing the votes of the grain growers of the country. The Democratic party, as the campaign of 1928 showed, is largely urban in the North, and agricultural in the South. It has dropped for the most part the advocacy of states rights which characterized it before the Civil War; indeed no administration witnessed so great an extension of federal power as that of Wilson. During the first part of the period under consideration, namely from 1860 to 1876, the great issues between Democrats and Republicans were supplied by the Civil War and the reconstruction made necessary thereby. From 1876

²⁶ For a popular account of the Big Bull Market and its collapse, see F. L. Allen, *Only Yesterday* (1931).

²⁷ Details regarding the conventions of 1932 and the platforms of the Republican, Democratic and Socialist parties in full for that year are presented in the Appendix.

on, economic questions—the tariff, currency, railroads, trusts, labor, and farm relief—have been paramount, except in the campaigns of 1916 and 1920 when the World War temporarily turned the attention of the people to military and international affairs.

As in the first great period of our party history (1792-1860), and notably just prior to 1820 and 1856, so also the present period has been marked by disruptive tendencies. These reached their climax in the Democratic party during the campaigns of 1896 and 1928, and in the Republican party during the campaigns of 1912 and 1924. While the bolts during the years named did lead to important changes in the policies of both parties, they failed to cause the disappearance of either as the Federalists disappeared in the second, and the Whigs in the fifth, decade of the last century. On the contrary Republicans and Democrats continue their duel, and while the majorities of the former in prosperous times are enormous the latter remains "unterrified." Between them they absorb so large a part of the voting strength of the country that successful competition by minor parties seems hopeless.

Disruptive
tendencies

It is easy to present the course of American party history as mere sound and fury, signifying nothing—a compound of slogans, straddles, steals and eternal self-seeking. Undoubtedly these untoward manifestations are much in the foreground but they play a part in the activities of all social organizations. Human nature as a whole rather than politics would seem to be ultimately responsible for them. Behind such puerile superficialities great economic forces have been engaged in the American party battle from the beginning of the nation's history to the present day. Professor Beard, who has given a large share of attention to this more realistic phase of the situation, poses the question: "To what extent have the political parties controlled the development of the country and to what extent have they merely reflected movements and groupings derived from economic activities of the people?"²⁸ In reply he cites three political decisions of major importance, first the adoption of the federal Constitution (1787-88), which gave an immense impetus to business enterprise; second, the accession to power in 1800 of the agricultural (Jeffersonian) party and its later acquisition of all

Party
achieve-
ments

²⁸ *The American Party Battle*, p. 142.

the land from the Mississippi to the Pacific; and third, the election of Lincoln in 1860, as a result of which the planters were unhorsed and subjugated to a combination of business men and farmers.

Important
campaigns

No matter to what extent economics dominates politics there have been occasions since 1860 when parties were of necessity made the agencies through which economic forces sought control. Bryan's defeat in 1896 stopped inflationist propaganda and further encouraged business, particularly "big business." Reaction against the latter development made the campaigns of 1912 and 1924 unusually significant. After all, however, politics must concern itself at times with other than purely materialistic concerns. Wars, which of course may be largely economic in causation, nevertheless center attention while they are being waged upon lives rather than dollars. After peace is declared reconstruction problems of peculiar difficulty must be faced. For this reason the campaigns of 1876, which was followed by the liberation of the South, and of 1920, in which the League of Nations issue was defeated, may be counted as unusually significant. Racial and religious conflicts are also fought out on the political field, as the campaign of 1928 demonstrated. The fate of prohibition—a predominantly moral question—may be decided by the results of the presidential election of 1932.

Are the
two major
parties sub-
stantially
the same?

It is not maintained that all the issues referred to above were decided rightly and for all time; however they were settled, and settlement was reached through the agencies of parties—the results thus obtained being deemed final so far as that term may be applied to political affairs. It is often asserted that there are no substantial differences between the two great parties in the United States. Certainly several campaigns since the Civil War lend support to this assertion. Some of them, indeed, were superlatively dull, notably 1904 and 1908. Nevertheless the six referred to above (1876, 1896, 1912, 1920, 1924, and 1928) stand out as decisive of certain trends. On the other hand perhaps that country may deem itself happy in which most elections are placid and inconsequential. Unsettlement, agitation, and threat of revolution are exciting, of course, but nations, like individuals, do well to avoid too frequent sprees.

Parties have contributed materially to the upbuilding of Amer-

ican institutions, as we have already had occasion to note.²⁹ On the other hand they may be charged with one major failure—the failure to settle the slavery controversy without resort to war. A controversy perhaps even more menacing is at hand; it was foreshadowed by the party splits of 1896, 1912, and 1924; it became imminent with the economic crash of 1929. To solve it peacefully may require much travail and more than one national campaign; not to solve it is to invite violent upheaval. Thus is offered to American party leaders and to the American people of today an opportunity as tremendous as it is terrifying.

The
impending
conflict

BOOK NOTES

ONE of the most compact and useful aids to the study of recent American politics is *R. V. Peel and T. C. Donnelly, *The 1928 Campaign* (1931), which analyzes pre-convention maneuvers, the conventions, and the issues, tactics, strategy and leadership of that year. A similar volume dealing with the campaign of 1932 is now in course of preparation by the same authors. S. Thwing, *Literary Digest Political Cyclopaedia* (1932), contains the platforms of all parties of that year, also discussions of the principal planks in each of them and much valuable illustrative material. Most of the histories and biographies mentioned under Book Notes to the preceding chapter carry over into the period following 1912. *F. L. Allen, *Only Yesterday* (1931), gives a fascinating although rather sensational account of events from the end of the war in 1918 to the stock-market panic which culminated in 1929. For a scholarly treatment of the same period including also the war, students should be referred to *P. W. Slosson, *The Great Crusade and After, 1914-1928* (1931).

The Harding Administration left a bad after-taste in literature as well as in politics, witness the novel *Revelry* (1926), by S. H. Adams; also Nan Britton, *The President's Daughter* (1928); and G. B. Means, *The Strange Death of President Harding* (1930)—the last of which has been disavowed by the ghost-writer employed by the titular author. To all the foregoing reply is made by H. M. Daugherty, *The Inside Story of the Harding Administration* (1932).

Among recent autobiographies that of *Calvin Coolidge (1929), is quite as interesting for what it does not tell as for what it does tell. N. Hapgood and H. Moscowitz, *Up from the City Streets* (1928), is a campaign biography of Alfred E. Smith but is far superior to the average book of that type; subsequently former-

²⁹ See chs. iii and iv.

Governor Smith has published an autobiography under the title *Up to Now* (1929). President Hoover's career has been dealt with in a number of books, some of them decidedly scurrilous in character. The best recent volume on the subject is W. F. Dexter, *Herbert Hoover and American Individualism* (1932). E. K. Lindley, *Franklin D. Roosevelt* (1931) is an admirable sympathetic portrayal of the Democratic President. On two other prominent leaders of that party the following are valuable: W. G. McAdoo, *Crowded Years* (1932), and F. Palmer, *Newton D. Baker* (1931).

For the attitudes of the two major parties before the people the **Campaign Text Book* of the Republican party (1916, 1920, 1924, 1928, and 1932), and the **Democratic Text Book* for the same years are the best official sources. Contemporary accounts are presented in the extensive periodical literature on the subject, the more available examples of which have been quoted in footnotes; also in the issues of the *American Year Book* and the *Political Science Quarterly*, the latter of which carries as part of its annual supplement an excellently edited record of political events. Unofficial election statistics for the country as a whole may be found in the annual almanacs published by several metropolitan newspapers, the most extensive perhaps being presented by the *World Almanac*. E. C. Smith, *A Dictionary of American Politics* (1924) is useful for brief accounts of parties, measures, and men.

A large number of racy, not to say impudent, collections of political character sketches have appeared during recent campaigns, e. g., E. G. Lowry, *Washington Close-ups* (1921); the anonymous *Mirrors of Washington* which appeared during the same year; C. W. Gilbert, *You Take Your Choice* (1924); W. A. White, *Masks in a Pageant* (1928); R. T. Tucker, *Mirrors of 1932* (1931); and, also anonymous, *The Washington Merry-Go-Round* (1931); and *More Merry-Go-Round* (1932). In *Politics: the Citizen's Business* (1924), W. A. White deals with the conventions of 1924 incisively and satirically and also has much to say about "organized minorities," i. e., the various interest groups which make themselves felt in American politics.

CHAPTER VII

RECENT MINOR PARTIES

THE strength of the two-party system in American politics is beyond question. Taking our national history as a whole, periods of party disintegration have been few in number and of brief duration. Thus the fourfold division of the old Democratic-Republican party in 1824 was followed in the next presidential campaign by a clear-cut conflict between Democrats and Whigs. In 1856 the Whigs, and in 1860 the Democrats, went to pieces over the slavery issue, but before the Civil War had come to an end the struggle between Democrats and Republicans was renewed and has continued down to the present time. In only two elections since the Civil War—1912, 1924—has there been the remotest likelihood of the success of any presidential candidate aside from the nominees of the two major parties. And on both these occasions what really happened was a split in one of the old parties rather than the emergence of a *bona fide* new one. With the exception of these two campaigns the combined vote of all minor parties has exceeded 10 per cent of the total popular vote for the Presidency on but one occasion.¹ In the presidential election of 1928 less than two voters out of every hundred cast their ballots for a third party. With hard times prevailing in 1932 the vote of all minor parties combined was less than three per cent of the total.²

It by no means follows, however, that minor parties are altogether impotent in our politics, or that their influence is to be gauged solely by the small fraction of the total vote which they

Strength
of the two-
party
system

Influence
of minor
parties

¹ In the presidential election of 1892, which marked the zenith of the power of the Populist party, it polled a popular vote of 1,041,028. The Prohibitionists also reached their maximum on this occasion with a vote of 264,133. The only other minor party in the field was the Socialist-Labor party, for which 21,164 ballots were cast, making a total vote for the three of 1,326,325. Each of the major parties cast over five million votes, the total popular vote of all parties being 12,059,351. For detailed statistics regarding strength of third parties see C. E. Merriam, *American Party System*, p. 92.

² The total vote cast for presidential electors in 1932 was 39,734,351; for presidential electors of minor parties, 1,161,299, or 2.92 per cent.

poll. The greatest success recorded to their credit was that of the Liberty and Free Soil parties from 1840 to 1856, which led to the disappearance of the Whigs and the establishment of the present Republican party. Unquestionably this historic precedent has greatly encouraged subsequent third-party movements, although none of them has equaled it. Nevertheless, as we have already noted, the Greenback and Populist movement led to the capture of the Democratic party in 1896, while the Roosevelt and LaFollette movements split the Republican party in 1912 and 1924. Although never controlling as much as two and one-half per cent of the total popular vote in a presidential election, the Prohibitionists, aided of course by many non-party organizations, have seen their fundamental principle written into the Constitution of the United States. Moreover on occasion major parties have not hesitated to pursue the gentle practice of "stealing planks" from the platforms of minor parties.³ To so great an extent is political kleptomania of this type prevalent that third parties may be considered the means whereby the older parties have been made to conform to a changing economic and social environment.⁴ Taking our political history as a whole, therefore, the predominance of the two-party system is beyond question; nevertheless that predominance is tempered to a degree by the presence and activities of minor parties.

Can one
"throw his
vote
away"?

Considering the noteworthy achievements of third-party movements in American politics, it is impossible to agree altogether with the frequently expressed opinion that anyone who votes the ticket of such a party "throws his vote away." The elector who chooses this course does indeed give up the opportunity to make his ballot count directly in favor of either of the candidates of the major parties, one of whom is virtually certain to be successful. On the other hand, the transfer of votes from major to minor parties may indirectly affect the strength of the former very materially, especially when the contest is close. Among the various explanations offered for the defeat of Blaine in 1884 was the unexpectedly large Prohibition vote in New York which

³ Although leading a separatist movement at the time Theodore Roosevelt raided the Socialist lumber yard in 1912 for a number of his social justice policies. Cf. H. F. Pringle, *Theodore Roosevelt*, p. 567.

⁴ For an extremely interesting thesis devoted largely to this point see V. B. Booth, *The Political Party as a Social Process*, University of Pennsylvania, 1923.

was supposed to have been recruited chiefly from Republican ranks, thus enabling Cleveland to carry the state by a narrow margin and win the election. In so far as an elector's purpose is to secure some advantage for himself, as, *e.g.*, patronage or other governmental favors, he does, of course, throw his vote away when he casts it for a third party. Such parties have no governmental favors to bestow except on the rare occasions when they enter into a bargain with the dominant party. If, however, the voter's purpose is to indicate the proper course to be pursued in deciding questions of public policy—and this is assumed to be the real and higher purpose of the great mass of voters of all parties—it is evident that a minor party ballot may be as effective—in the long run perhaps even more effective—as a ballot for one of the major parties. The ultimate justification of third parties is that they “respond to a recurrent human need, which the major parties cannot fully satisfy.” Most of them “despite errors of proportion and perspective have enriched the traditions of American life . . . with fresh visions of eternal truth.”⁵

Useful as third parties have proved themselves to be in the course of our national history, the difficulties which stand in the way of founding one are well-nigh insuperable. No writer has stated these difficulties with greater fullness and clarity than Professor Paul H. Douglas, himself a strong advocate of the coming of a new party.⁶ In the first place the overwhelming majority of voters North and South are attached to one or the other of the old parties, often passionately so. Republicans and Democrats possess far-flung organizations reaching down to nearly every precinct and prepared to get out the vote by favors, threats and arguments. To compete successfully with them the founders of a new party must build an entire new structure from the ground up. First of all there is a record of failure to overcome: as we have just noted most of the minor parties of the past won few offices and were extremely short-lived. In general they emerged during hard times, withering away with the return of prosperity. Many trade unions, farmers' organizations and other pressure groups are inclined to believe that they can secure results more quickly and effectively by lobbying than by starting a new party. Since the advent of the direct primary about

Obstacles
to third
parties

⁵ A. N. Holcombe, *The Political Parties of Today*, p. 346.

⁶ See pp. 121-138 of his *The Coming of a New Party*, 1932.

1903, malcontents have frequently thought it advisable to remain regular Democrats or Republicans, "boring from within" by opposing machine candidates. Our decentralized form of government discourages the founders of a new party; they must prepare to fight not only on one great national front but also on forty-eight separate state fronts.⁷ Even if a third party should capture Congress it might still find itself thwarted by a hostile President and Supreme Court. Our executive offices—the Presidency, gubernatorial and mayoral posts—are one-man affairs; in campaigns to fill them the don't-throw-away-your-vote argument appeals with peculiar force. The system of election by plurality is a further discouragement; here proportional representation would be most helpful.⁸ Indeed as things are now third-party candidates may accomplish no result other than to assure the success of the more reactionary of their Republican or Democratic rivals.

New legal
barriers
against
third
parties

As if this catalogue of obstacles were not sufficiently disheartening new legal barriers have been brought forward in a number of states. Thus Ohio requires 200,000 signatures to a petition before a third party can receive separate designation; West Virginia requires five separate petitions to be filed before May 8th of election years, with at least 6,000 signatures on each; Illinois requires 25,000 names for the state ticket and 60,000 for the Cook County ticket. Nevada has a double requirement, first, a petition bearing the signatures of five per cent of the voters; second, the deposit of a filing fee of \$1,500 which is non-returnable. As an illustration of how these legal obstacles work it is stated that at the beginning of the third week in August, 1932, the Communists had succeeded in getting their ticket on the ballot for the November election in eleven states only. They hoped to secure official recognition in nine others, but even so the party would fall short of the total of thirty-three which it achieved in 1928. There is, of course, some force in the argument that our ballots, already much too long, should not be further encumbered by the addition of lists of minor party candidates who represent extremely small fractions of the electorate. On the

⁷ Of course there are corresponding advantages. A third party strong locally, as the Farmer Laborites have shown, may capture entire state governments no matter how hopeless their success would be in national politics.

⁸ See ch. xvi below.

other hand it is one of the cardinal principles of democracy that citizens of every class, no matter how few in number, or even how chicken-headed as to ideas, should have the opportunity to express themselves at the polls. To refuse them this opportunity merely encourages the violent agitator who preaches the superiority of bombs over ballots.

TWO-PARTY *versus* MULTI-PARTY AND ONE-PARTY SYSTEMS

The people of the United States are so thoroughly used to the two-party system that they are inclined to accept it as a matter of course. Taking the more highly developed countries of the world as a whole, however, it is the exception rather than the rule. In English politics, to be sure, the two-party system has long prevailed, although for a time the emergence of labor threatened a three-cornered struggle. The German citizen had to choose in the general election of 1932 among more than twenty-five tickets, of which, however, only six had any large following. Czecho-Slovakia is reported to have as many as twenty-eight parties which agree on one point only, namely, support of President Masaryk. In other democratic countries of continental Europe party divisions are less numerous. As a rule not more than four or five stronger political groups—or “fractions” as they are called significantly enough—contend for power in each of them. In countries which have gone over to dictatorship, however, a rigid one-party system has, quite naturally, been established. As a result the traditional argument regarding the relative advantages of the two-party as compared with the multi-party system has been enlarged. It is now necessary to discuss the merits of one-party, two-party, and multi-party systems.

Multi-party system

Political theorists and adherents of minority parties frequently criticize the existing two-party system of the United States and advocate the adoption of a multi-party system in its place. From time to time the formation of a new party or parties of some definite character is proposed in the hope of bringing about a division of the strength of the old political organizations such that three or more groups may contest our elections on fairly even terms. The chief argument upon which opponents of our present system rely is that the two major parties differ very slightly in essentials and not at all in non-essentials. Being so nicely balanced in voting strength and containing so many diver-

Criticism of the two-party system

gent groups within their ranks, they fight shy of definite pronouncements on matters of policy, preferring instead every possible form of compromise, postponement, and evasion. The certainty that power will be conferred upon one or the other of them at each election attracts into their ranks great numbers of place hunters and privilege seekers who care everything for patronage and profits, nothing for principles or policies. As a consequence the whole tone of our public life is lowered, progress is halted, inefficiency and corruption occur on a great scale; meanwhile the conscientious citizen, unable to find means for giving expression to his convictions, turns from politics in apathy or disgust.

Lack of sharply defined issues under two-party system

It is undeniable that there is considerable truth in this indictment. Certain of the points which it contains are, however, open to question, nor should it be forgotten that the multi-party system itself suffers from grave defects. Study of party history will make it clear that in a number of our recent presidential campaigns there were comparatively few and slight differences even on major issues between the platforms of the two great parties, although this was certainly not the case either in 1896, 1912 or in 1920, perhaps not in 1932. Even in years when there is general agreement in their programs it would seem that substantial grounds for a choice between the two parties might be discovered in their past records, in the character of their candidates and leaders, and in the nature and purposes of the interests supporting them.

Alleged sham battles for spoils only

Neither does a large measure of agreement between the platforms of the major parties prove that they are fighting a sham battle, intent only on the spoils of victory. Nor does it prove that both parties are dominated by a single interest, as, *e.g.*, the capitalist class, the Anti-Saloon League, or a bipartisan machine. Professor Munro has pointed out that the two great parties naturally seek to present issues that are both practical and popular, turning aside from issues which are popular but not practical, or which are practical but not popular.⁹ A tremendous amount of shrewd judgment and understanding of the popular will goes into the making of the platforms of our major parties. If, then, they show substantial agreement on certain issues, it may be inferred that the great mass of the people, regardless of party

⁹ *Government of the United States*, p. 329.

affiliations, have reached a general consensus of opinion on these issues.

Lovers of heated party antagonisms and of public debate will, of course, find such a situation supremely boring. It may even be criticized as an evidence that parties have not properly aroused the people to more "burning" issues, or that the people themselves are politically dull or immature. On the other hand, such a condition would seem to indicate the presence of a high degree of political stability, and, correspondingly, the absence of any serious or revolutionary unrest. Finally, if such static periods should last too long, our experience in the past shows that new currents of public opinion may find a channel for themselves through minor parties or party revolts. Still the possibility remains, as shown by the handling of the slavery controversy following the Compromise of 1850, that established parties may succeed in evading or stifling some major issue with the result that a violent explosion follows.

Two-party
system in-
dicates
political
stability

Place hunting and political corruption are by no means unknown in countries having the multi-party system. The experience of Great Britain under civil-service reform shows that office-seeking may virtually be eliminated without affecting the strength of the two-party system. At the lowest estimate there have been five or six political parties in France ever since the present constitution was adopted—indeed the seating arrangement of the Chamber of Deputies for the late session of 1930 recognized no fewer than thirteen distinct groups—nevertheless there have been a number of grave scandals reflecting upon the integrity of some of the leading public men of the Third Republic. The multi-party system is, therefore, not a panacea for the graver ills that occur under the two-party system.

Evils of
patronage
and corrup-
tion under
both
systems

If three or more parties of substantially equal popular strength and geographic extent were formed in the United States one result would be the throwing of presidential elections into the House of Representatives. Our experience on the two occasions when this did occur (1800, 1824) shows what unsatisfactory and possibly dangerous consequences might result.¹⁰ On the sec-

Presiden-
tial
elections
under
multi-party
system

¹⁰ Although the throwing of a presidential election into the House of Representatives is now regarded with a feeling akin to horror, the Fathers of the Constitution considered it quite normal and likely to happen frequently. Cf. H. W. Horwill, *Usages of the American Constitution*, p. 29.

ond of these occasions, it will be recalled, a decision was rendered against the candidate having the largest popular and electoral vote. Of course this difficulty could be removed by a constitutional amendment making a plurality in the electoral college sufficient to elect. But chief executives so chosen would certainly be attacked as "minority Presidents," and in the long run this could hardly fail to diminish the prestige of the office.

Direct
primaries
against
minor
parties

In addition to the difficulties caused by our method of electing Presidents the development since 1903 of the direct primary system for choosing delegates to national conventions and for making nominations to many public offices has interposed a barrier to the formation of third parties. Voters who align themselves with minority movements automatically deprive themselves of the power to participate in the making of decisions which may be of greater importance than those at stake in the ensuing election. On the other hand members of major parties have two opportunities, first at the primary, then at the election, to influence the results of the political process.

Majority
rule under
two-party
system

One of the arguments most commonly advanced in favor of the two-party system is that, no matter which party is in power, the government of the day in all its branches enjoys the support of a majority of the people. Under the parliamentary system of Great Britain this result is actually secured as a general rule. On the other hand, under our system of concurrent powers, checking and balancing each other, it frequently happens that a President chosen by one party has to face a majority chosen by the opposing party in one or both branches of Congress.¹¹

"Bloc" and
"anti-bloc"

In countries which have the multi-party system it is necessary to secure a majority in parliament to pass legislation and usually also to support the ministry. This is done by coalitions of two or more parties. The resultant "bloc" may be more or less permanent, but it always lacks the unity of a single majority party. To make headway against the "bloc" other parties are forced to unite in an "anti-bloc." In other words, no matter how many parties compete for power in popular elections they are compelled

¹¹ Cf. the admirable diagrams on this point dealing not only with the Presidency and both houses of Congress but also with the Supreme Court, 1829 to 1924, presented by Professor A. N. Holcombe, *The Political Parties of Today*, pp. 85, 86.

to form two combinations afterward for the further prosecution of the political struggle. Now these combinations cannot be formed without a considerable amount of bargaining and intrigue on the part of those entering into them. Undoubtedly party principles are sometimes abandoned or compromised at such times in the hope of forming a successful "bloc" and thus acquiring a share in the conduct of government by the majority coalition. Therefore under a multi-party system as well as under a two-party system the evils of evasion, postponement, and betrayal of constituents may occur. However, there is one difference in this connection between the two systems. In countries where there are several parties coalitions are formed more or less secretly by leaders of party groups meeting in the committee rooms of parliament. Under the two-party system each of the parties must openly present its program, independently arrived at, to the judgment of the voters and the public criticism of its opponents.

With the platforms of two major parties only to choose between, the intelligent and conscientious voter usually finds that neither meets with more than his partial approval. For example, he may approve the planks of one of them on unemployment relief and prohibition, and the planks of the other on tariff and banking. If any one of these issues seems to him of paramount importance he may, of course, reach a decision in favor of the party which represents his views best regarding it, but he does so only at the cost of his convictions on certain other issues. No doubt it is easier for the individual voter to find a political program more completely to his liking in countries where several parties are organized, each bidding principally for the support of some one social class. In every country, however, the number of major political issues is so considerable that, according to the mathematical theory of permutations, it would require an impossibly large array of parties to present enough platforms to meet the individual tastes of each voter.¹² Even if political parties in the United States were as numerous as religious sects a very large number of voters would still be unable to find a plat-

Multi-
plicity of
issues

¹² With only two issues four parties would be necessary, with three issues eight parties, and so on *ad infinitum*. Cf. A. N. Holcombe, *Political Parties of Today*, p. 353.

form which would meet their convictions at every point. However, no advocate of the multi-party system is prepared to favor political disintegration to such an extent. One practical solution for the difficulty is supplied by the initiative and referendum, which afford the voter an opportunity to deal with each question submitted to him on its own merits, regardless of his party affiliation or his convictions on other issues.

Class,
racial, and
sectional
feeling

The existence of a considerable number of political parties in any country is usually indicative of a pronounced development of class, racial, or sectional feeling among its citizens. No doubt the presence of many parties is to be explained largely as the result rather than as the cause of such antagonisms. Nevertheless, numerous small parties do give organization and expression to class, racial, or sectional groups, and thus intensify the bitterness of their animosities. In the very nature of the case, on the other hand, wherever two great parties are pitted against each other they are forced to strive with all their might, as our major American parties have always done, to attach to themselves the greatest possible number of voters regardless of class, racial, or sectional feeling. On the basis of this distinction—certainly the most important that can be drawn between the two systems—radicals will naturally prefer the multi-party system, while persons of more moderate tendencies will quite as naturally prefer the two-party system.

One-party
system for
America

The emergence of hopeful minor parties in our politics from time to time imparts a certain interest to the multi-party theory. Not so much can be said regarding the one-party system which at present is advocated in the United States only by Communists. However in case of overwhelming disaster, *e.g.*, crushing defeat after the country had been bled white in foreign war or complete collapse of business at the end of long-continued depression, it is inevitable that some form of dictatorship, however disguised as to name, will be established. Following contemporary European models as well as driven by inner necessity such a dictatorship would foster with every means at its disposal the one party upon which it could depend for support through thick and thin; also sooner or later it would restrict and ultimately suppress opposition movements. As the Russians express it, there may be any number of parties in the Soviet Union, but under a single indis-

pensable condition, namely that one of them is in power and all the others in jail.¹³

Dictator-
ship *vs.*
democracy

Adequate discussion of the one-party system is bound up therefore with the whole argument of dictatorship versus democracy into which it is impossible to go here. Certain tactical differences should be noted however. Under the two-party or multi-party system a wide variety of interests, economic, racial and social as well as political, share in power or can at least compel the government to give them a hearing. Dictatorship with a one-party system means the dominance of one class or at least of a restricted group of interests and the subjection of others. It may be conceded that the former condition is characterized by argument, by dissension, by "checks and balances," by too numerous parliamentary groups or pressure groups, resulting perhaps in vacillation, temporary palsy even, yet there remains at least the possibility of an outcome in the form of decisions which will leave not too many irreconcilables. On the other hand, the one-party system must suppress to a greater or less degree not only rival parties but also excluded groups, thus breeding malcontents who are driven underground or abroad to plot against their government. Revolution has recently upset one dictatorship, that installed in Spain; it is the constant preoccupation of all others, nor has any of them been in existence long enough to look with confidence to the future.¹⁴ Moreover the better managed among them—Russia, Italy, Turkey—have found it advisable to employ various means of conciliating or avoiding disaffection—self-criticism from within the party, admission of excluded citizens to certain rights, organization of syndicates representing various economic interests, one-way propaganda on a gigantic scale, the manipulation of the public schools and the establishment of subservient youth organizations, encouragement of minority racial or sectional groups, withdrawal from too advanced policies, abandonment of certain of the more severe methods of suppression, even the employment of such abhorred democratic devices as popular elections, which to be sure are so controlled as to be harmless to the régime in power. It is apparent, therefore, that the functions elsewhere performed by two or more parties cannot be ignored with impunity by dictatorships which

¹³ W. H. Chamberlin, *Soviet Russia*, ch. iii.

¹⁴ Count C. Sforza, *European Dictatorships* (1931).

desire to survive. In this respect the fundamental difference between the one-party and other systems is as to the weight which can be placed upon the safety valve and still escape explosion. As to other differences, less of a tactical and certainly of more vital character—differences in liberty, self-expression, progress, freedom of speech and of the press, religious freedom, the right of association—the argument between democracy and dictatorship is clear enough, although, of course, only the future can decide between them. If not submitted to the unpredictable arbitrament of war the outcome may involve some approximation between the two systems, tending toward that one of them which procures the greatest diffusion of economic well-being among the masses of the people.

THE PROHIBITION PARTY

Primary
issue of the
Prohibition
party

The Prohibition party is the oldest of our minor party organizations. It was founded in 1869, and has nominated candidates for the Presidency and Vice-Presidency in every national election since 1872. The primary purpose of the party, expressed with slight variations of wording in its platforms from 1876 on, is that "the manufacture, importation, exportation, transportation, and sale of alcoholic liquors for beverages shall be prohibited." To this end it pledged "the exercise of all governmental power—the enactment of statutes and the amendment of constitutions, state and national," holding that "only by a political party committed to this purpose can such a policy be made effective."

Other
issues

While devoted largely to this one issue, the Prohibitionists, early in the party's history, espoused a number of other reform causes, among them woman suffrage, uniform marriage and divorce laws, laws against polygamy and commercialized vice, civil-service reform, and direct elections. On current "paramount" political issues the party's platforms have usually spoken with a great deal of reserve, doubtless because its membership is largely made up of former Republicans and Democrats who still retain to a considerable degree their earlier partisan proclivities. Thus the Prohibition platform of 1912 declared in favor of "clearly defined laws for the regulation and control of corporations transacting an interstate business," "absolute protection of the rights of labor, without impairment of the rights of capital,"

and the fixing of the tariff "on the scientific basis of accurate knowledge, secured by means of a permanent, omni-partisan tariff commission with ample powers."¹⁵

At no time during its history has the voting strength of the Prohibition party been considerable. High-water mark was reached in 1892, when the party polled 264,133 votes for John Bidwell, its presidential candidate, out of a total popular vote of 12,059,351. The party has never gained a seat in the electoral college. Nevertheless, the real strength of the anti-liquor movement was always enormously greater than that of the party. The latter represented only those who subordinated all other issues to the one issue of prohibition. Meanwhile converts were being made rapidly both by party propaganda and by the activities of such associations as the Anti-Saloon League from among adherents of the major parties who, while remaining true to their old political allegiance, worked earnestly and effectively for local option, for state-wide prohibition, and even for a national prohibitory amendment.

Prohibition
voting
strength

It was this development, hastened somewhat by war conditions, which made possible the passage of the so-called War-Time Prohibition Act of November 21, 1918 (c. 212, 40 Stat. 1045) and the adoption, January 29, 1919, of the Eighteenth Amendment to the Constitution of the United States, which provided that one year after its ratification "the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited." Congress and the several states were given concurrent power to enforce the amendment by appropriate legislation. In the exercise of this power Congress passed the Volstead Act of October 28, 1919, defining intoxicating liquors as those containing one half of one per cent or more of alcohol by volume. Decisions of the Supreme Court, handed down June 7, 1920, set at rest all lingering doubts as to the constitutionality of this legislation.¹⁶

Prohibition
Amend-
ment and
Volstead
Act

It is a striking fact that political achievements so important as the adoption of the Prohibition Amendment and the enactment of legislation based on it were accomplished amid the silence of

Organiza-
tions which
brought
about
prohibition

¹⁵ *American Prohibition Year Book*, 1916, p. 10.

¹⁶ *Rhode Island vs. Palmer*; *Feigenspan vs. Bodine*, etc., etc.

the two great parties so far as their national platforms were concerned. Of course the votes which made these achievements possible were with few exceptions those of Republican and Democratic Congressmen and legislators acting as individuals except in the cases of some of the latter who were bound by the district or state platforms of their parties to vote dry. Credit for this remarkable achievement must be divided, although in the nature of the case accurate apportionment among the contributing organizations is out of the question. According to leaders of the various dry groups, however, the Prohibition party was a factor of prime importance, especially in the pioneering stage of the movement. Constitutional amendment was its original goal, it never compromised the issue, and the solution, so far as the question is settled, finally came in the form the party had predicted. Merely printing the name of the party on the ballot at every election was in itself valuable advertising for the cause. The intransigent attitude assumed by the party was both its strength and its weakness—its strength as an educational movement, its weakness as a vote-getter. Without assistance from organizations of a different type it is doubtful whether prohibition would ever have been achieved. The Anti-Saloon League, a “politico-ecclesiastical machine,” was the practical unit in the dry ranks, and its effectiveness increased mightily in the later years of the agitation.¹⁷ In some respects the relationship between the Prohibition party and the League resembles that between the Abolitionists and the Free Soil party. The Anti-Saloon League’s first goal was to prevent the licensing of more saloons, to secure local option in smaller political units. From this it passed to state-wide and nation-wide prohibition. Lacking the sweeping and uncompromising character of the Prohibition party, it was able, with the support of the churches, to assemble a large and influential following. Its members, by the way, remained Democrats and Republicans after they became Leaguers. So effective was the League in the collection of funds, the influencing of elections, and the supervision of the legislative conduct of those it had aided to secure office, that wet opponents denounced it as a tyrannical organization, not a party, yet more than a party. Those who claim major credit for the League do so on the ground that it elected the members of Congress who voted for the Eighteenth

¹⁷ P. Odegard, *Pressure Groups*, p. 22.

Amendment and of the state legislatures which ratified it. In addition the farmers of the country contributed largely to the success of the dry cause through their National Grange movement. Acknowledgment must also be made of the work of the W. C. T. U. which organized the women of the nation and conducted extensive campaigns among children. As more and more of the states granted woman suffrage and as children educated under W. C. T. U. influence became voters the political balance inclined heavily against the wets. In 1917 the advent of war called the attention of the public to the waste of food, fuel, and man power caused by the manufacture of liquor. Further it was easier to get sweeping legislation of any sort through in war time, to say nothing of the absence at the front of many soldiers of wet proclivities. Leading dry advocates estimate that without the war prohibition might have been delayed from two to twenty years.¹⁸ Of course behind all these organizations and activities there was a rising tide of public opinion hostile to the saloon. Finally it must be said that the wet elements, in spite of their former strength and dexterity, failed utterly at the end to grasp the situation, to undertake reforms from within which might have staved off the evil day, or to defend themselves adequately with the political means at their command.

With its main objectives sweepingly attained in 1920 there seemed to be little or no reason for continuing the Prohibition party. Its leaders insisted, however, that the organization must be maintained in order to secure the enactment of further legislation, both national and state, necessary to carry out the purposes of the Eighteenth Amendment in letter and in spirit, also to supervise vigilantly the administration of such legislation. Further, they called attention to the fact that the party stood, as it had always stood, for numerous other reforms, and urged its continuance until these had been attained. The failure of both major parties to refer to the subject of prohibition in their platforms of 1920 greatly strengthened the determination of dry leaders to keep up the fight.

Accordingly the party called a national convention which met at Lincoln, Nebraska, July 22, 1920, nominated candidates, and

Why continue the Prohibition party?

Prohibition conventions 1920-1928

¹⁸ For these conclusions the writer is indebted to a Swarthmore thesis of 1922 on *Dry Organizations*, by G. W. Davis. Cf. also Peter Odegard, *op. cit.*, and C. Merz, *The Dry Decade* (1931).

adopted a platform condemning both Democrats and Republicans for their cowardly silence and hotly denouncing the organized liquor traffic as "engaged in a treasonable attempt to nullify the Eighteenth Amendment." In spite of woman suffrage, first permitted nationally at the ensuing election, the Prohibitionist vote fell to 189,408 in November of that year. In 1924 it sank to 57,250. Nevertheless, the party entered the campaign of 1928 declaring that:

"The present unsatisfactory enforcement of prohibition, amounting to nullification over wide areas in great centers of population, is the natural result of the acceptance by friends of prohibition of the false political philosophy of non-partizanism,¹⁹ whereby the voters have kept themselves divided between and swallowed up in the two political parties, both dependent for success upon the votes of their wet members, who see to it that the arm of enforcement is paralyzed."

Prohibition
in 1928 and
1932

Although wet sentiment was increasing rapidly throughout the United States, William F. Varney of Rockville Center, N. Y., the Prohibition candidate for the Presidency in 1928, received only 20,106 votes. With both Republicans and Democrats arrayed to a greater or less degree against the Eighteenth Amendment in 1932, the party nevertheless held a convention offering its nomination for the Presidency to Senator Borah, who did not accept, and later conferring the honor upon W. D. Upshaw, of Georgia, dry Democrat who had supported Hoover in 1928 and lost his seat in Congress as a result. The present (1932) Prohibition platform denounces both the old parties for their determination to repeal the amendment "on the excuse that it cannot be enforced." In the November election Upshaw received 77,528 votes, a result which as compared with 1928 and 1924 shows a certain small return of strength to the Prohibition party.

THE SOCIALIST PARTY

Socialism
defined

The term socialism is currently used in at least four meanings, *viz.*, (1) a criticism of existing society; (2) a philosophy of social evolution; (3) a social forecast or ideal; and (4) a movement for the attainment of that ideal. From the point of view of a student of politics interest centers principally in the fourth

¹⁹ The word "non-partizanism" was substituted for "the Anti-Saloon League" in the above plank. It hints nevertheless at the ill-feeling which exists between the two organizations.

of these meanings. In that sense of the word socialism has been defined as "a movement, primarily consisting of the members of the wealth-producing class, which seeks to control all the powers of the state and to bring about the collective ownership and control of the principal means of production and exchange, in order that poverty, class antagonisms, vice, and other ill results of the existing social system may be abolished, and that a new and better social system may be attained."²⁰ In a highly significant party leaflet entitled "What Socialism Is and Is Not," which was published for the national campaign of 1932, Norman Thomas defines socialism as the belief "that the development of a machine age has brought us to a place whence our only escape from disaster lies in the social ownership and management for use, not profit, of things necessary for the common life; that is to say, land, natural resources, and the principal means of production and distribution." He adds that Socialists are internationalists, defining that term; also that they are believers in democracy, but "not democrats at the price of socialism." As the above definitions indicate, the major issue of the Socialist party is the need of a reorganization of our economic life, a reorganization which "will remove the land, the mines, forests, railroads, mills and factories, all the things required for our physical existence, from the clutches of industrial and financial freebooters and place them securely and permanently in the hands of the people."²¹ In the campaign of 1916, as in its other campaigns, the party held that all special issues arising from temporary situations, whether domestic or foreign, must be subordinated to this major issue. Nevertheless, in its platform of that year the Socialist party placed itself in sharp opposition to the preparedness planks of the Democratic and Republican platforms. It asserted that the war in Europe was due fundamentally to the desire of competing national groups of capitalists to grasp and control foreign investments and trade. Preparedness was denounced as "false in principle, unnecessary in character, and dangerous in its plain tendencies toward militarism." Moreover the platform declared that a greater army was desired by capitalists in order to keep the working class of the United States in subjection.

Major issue of the Socialist party

²⁰ Spargo and Arner, *Elements of Socialism*, p. 5.

²¹ Socialist party platform, 1916.

Socialists
in the
election of
1916

In the presidential election of 1916, Benson, the Socialist candidate for President, received a popular vote of 590,579—a decline of more than three hundred thousand as compared with the vote for Debs in 1912. Nevertheless, the party continued its vigorous anti-militarist and pacifist activities. A special emergency convention was called for April, 1917, meeting in St. Louis immediately after the declaration of war by the United States. At this convention an anti-war platform was drawn up and afterward approved by referendum vote of the party members. "In all modern history," it held, "there has been no war more unjustifiable than the war in which we are about to engage."

Socialist
schisms

Following the adoption of the St. Louis platform a number of prominent members left the party. Indeed throughout the whole course of its development in the United States the Socialist movement has been torn by schisms. So numerous have they been that critics often derided it as the party of "fifty-seven varieties." These internal dissensions, however, did not differ in kind from the factional fights common to the older parties, although among Socialists they seem to have been carried on with a degree of doctrinal subtlety and vehemence common to radical movements the world over. Most fundamental of all such conflicts was the one caused by the growth within the party of the "Left Wing," or more radical section. Inclining toward syndicalism, the Left Wing took up "direct action"—that is, the general strike, sabotage, mass demonstrations, and revolutionary tactics generally. The "Right Wing," or moderate section, on the other hand, favored political action, namely peaceful propaganda designed to attract voters, elect candidates, and thus, through control of government won by democratic means, to introduce socialism.

Left Wing
vs. Right
Wing

A clash between these two elements, which came in 1912, resulted in the defeat of the Left Wing, and an amendment to the party constitution providing that those who advocated violence and sabotage should be subject to expulsion. From time to time an open breach in the party was averted by drafting platforms which presented the general principles or ultimate aims of socialism in a sufficiently sweeping manner to hold the radical element, adding a "working program" for immediate action of so mild a character as to win the support of the more moderate element.

The Left Wing movement was enormously stimulated by the Bolshevik revolution in Russia and by the belief that it portended world-wide revolution. Prosecution of radicals by the government during the war, the influx into the Socialist party of foreign, I. W. W., and Socialist Labor elements, and dissatisfaction with certain party officials also strengthened the Left Wing movement. However certain of the more radical elements, made up principally of the Russian federations and the Michigan group, withdrew in June, 1919, and formed the Communist party.

Bolshevism
and the
Left Wing

On August 30, 1919, a second emergency convention of the Socialist party met in Chicago. At this gathering the Left Wing delegates found themselves in a decided minority. From the outset turmoil marked the proceedings to such an extent that police were called in to restore order. This appeal by Socialists for help to the forces of the capitalist state which they were attacking was savagely criticized by radicals in their midst; also, not unnaturally, it caused more or less satirical laughter among adherents of the existing order. A bolt of 26 out of the 150 delegates followed, and the seceding element, with some later accessions, formed the Communist Labor party on September 2d following.

Formation
of the
Communist
Labor
party

Notwithstanding this process of disintegration the Socialist party remained by far the largest of the radical political organizations of the country. For the national campaign of 1920 it held a national convention in New York City, May 9th to 16th, and again nominated Eugene V. Debs for the Presidency. At that time the candidate was a convict in the federal prison at Atlanta, Georgia, where he was serving a term of ten years for violation of the Espionage Act.²² It was his fifth nomination for the Presidency, Debs having been the candidate of the Socialist party in 1900, 1904, 1908, and 1912. While the party cast a vote in November, 1920, larger by a few thousands than its best record of earlier years, the result must have been disheartening to leaders who had predicted a total of some three millions. In fact, Debs received only 919,799, as compared with his vote of 897,011 in 1912. Benson, the Socialist party candidate in 1916, had received only 585,113. Using the latter figure as a basis

Socialist
party in
1920

²² Debs was pardoned by President Harding in 1924. For an interesting account of the incident see H. M. Daugherty, *Inside Story of the Harding Tragedy*, p. 115. The life of Debs is presented by David Karsner, *Debs* (1919).

there was some disposition to claim a substantial gain, or rather restoration, of popular support. It must be remembered, however, that women voted nationally for the first time in 1920. As a result the percentage of the Socialist vote to the total cast in the presidential election of that year fell to the lowest level since 1908.

Socialists
support
LaFollette
1924

After the secession of Left Wing and Communist elements the Socialist party became decidedly less Marxian in spirit and much more moderate in its demands. Indeed there is at present comparatively little in its program to differentiate it sharply from the more advanced progressive movements of the past. During the campaign of 1924 it even allied itself with the candidacy of LaFollette,²³ so that it is impossible to say just what voting strength the party mustered in that year. In 1928 it returned to separate activity in the national field nominating for the Presidency Norman Thomas of New York, who, however, in spite of a brilliant campaign received only 267,420 popular votes. For 1932 the party chose the same standard bearer, James H. Maurer of Pennsylvania being his running mate.

Socialist
platform
1932

The Socialist national party platform for 1932,²⁴ adopted May 25th at the Milwaukee convention, is a brief document of some 2000 words. Curiously enough it does not take a definite stand on protection,²⁵ although in the congressional platform of 1930 there was a plank favoring the immediate repeal of the tariff law passed at the preceding session of Congress and the enactment instead of a measure providing for progressive reduction of import duties. One of the most interesting proposals made by the Socialists in 1928 was that favoring the calling of a convention for the purpose of drafting a modernized constitution for the United States. While this proposal was not repeated in

²³ Endorsement of LaFollette, who of course was not a Socialist, represented a distinct break with the previous policy of the party. For a report of the debate on this action in the 1924 convention of the party see the "Socialist World," vol. v, no. 7, p. 11 (July, 1924).

²⁴ Presented in full in the Appendix. Pending publication of its minutes the best accounts available of the Socialist convention of 1932 are presented in the *New Leader*, vol. xiii, no. 22 (May 28, 1932), and also articles in the *Milwaukee Leader*, May 20th to 26th inclusive. For controversial material regarding it see articles in *The New Republic*, vol. lxxi, pp. 332, 335 (Aug. 10th, 1932) by Matthew Josephson and Paul Blanshard.

²⁵ There is, however, a plank under the heading International Relations favoring international economic organizations on which labor is to be adequately represented, such organizations to deal with tariffs among other matters.

the platform of 1932 there is a plank in the latter demanding "an amendment to the constitution to make constitutional amendments less cumbersome." Also the Socialists still demand "abolition of the power of the Supreme Court to pass upon the constitutionality of legislation enacted by Congress," but they do not refer to it in the language of 1928 as an "usurped power."²⁶ The most radical proposal brought before the Milwaukee convention was one proposing the confiscation of the principal industries of the country. After several hours of spirited debate it was defeated by a vote of 168 to 14. As a point of minor importance it may be noted that, like Republicans and Democrats, the Socialists, in convention assembled in 1932 had difficulty in reaching agreement regarding the plank on prohibition, the matter being referred for final decision to a referendum vote of the party membership.²⁷

On the whole the Socialist platform of 1932 is conceived and expressed with a great deal of restraint. Even the passages portraying both Democratic and Republican parties as controlled by great industrialists and financiers are relatively mild, nor is anything said about the Communists—a kindness which, as we shall see, the latter do not reciprocate. There is no mention of violence, revolution, dictatorship of the proletariat; even the term "class struggle" occurs but once and then in connection with the statement that the program of the party would remove its causes. On the other hand stress is laid upon the democratic nature of the party and numerous campaign documents assert that peaceful processes only—education, agitation, organization and suffrage—are to be employed in realizing the ends it has in view. "The Socialists of the United States have no desire to overthrow the government";²⁸ on the contrary "there will be no less of government under Socialism than now, except that its chief function will be to administer industry. . . . What is now devoted to battleships and armaments will then be devoted to education, science, and improvement of industry."²⁹ The objection that "a

Socialists
not revolutionaries

²⁶ As to whether this power was usurped see Charles A. Beard, *The Supreme Court and the Constitution*.

²⁷ For plank and referendum vote thereon see Appendix.

²⁸ Quoted from a leaflet issued in 1930, *Are We Slaves to the Corporations?* For a similar expression see also the new leaflet by James H. Maurer, *Unemployment and the Mechanical Man*.

²⁹ Leaflet, *The Most Frequent Objections to Socialism Answered*, 1930.

Socialist government could not get possession of the machinery of production now held by the capitalist class" is answered as follows: "Sure, we can. And by perfectly legal and constitutional methods, too. Some we can buy. Some we can build ourselves. Some we can get by foreclosure. Some by making provision for public ownership in the franchises, and some we can get by exercising the right of eminent domain." Of course this decidedly breezy statement leaves open as many questions as it answers; nevertheless the insistence upon "legal and constitutional methods" is as thoroughly characteristic of Socialist party literature in the United States as it is in sharp contrast with Communist utterances (or silences) on the same subject. While addressing its appeal to workers in general it is evident also that the Socialist party seeks to enroll not only the poorest and presumably most discontented, but skilled artisans, farmers, and salaried employees as well—"brain workers as well as hand workers" to quote a campaign phrase frequently employed. In general, therefore, the Socialist platform and campaign documents for 1932 are anything but revolutionary manifestoes; instead they embody the sober and quite pacific expression of a liberalism which goes somewhat farther to the left, particularly as regards public ownership and labor legislation, than most of our recent so-called Progressive movements.

Voting
strength
1900 to
1932

Reviewing the political performance of the Socialists from 1900 to 1932, the following table shows the proportion of their popular vote to the total for all parties in the last nine presi-

Year	Total Popular Vote for Presidential Candidates	Popular Vote for Socialist Presidential Candidates	Percentage of Socialist to Total Presi- dential Vote
1900.....	13,964,518	94,768	0.68
1904.....	13,523,519	402,400	2.98
1908.....	14,887,133	420,820	2.85
1912.....	15,031,169	897,011	5.96
1916.....	18,528,743	585,113	3.15
1920.....	26,705,346	919,799	3.45
1924.....	29,091,417	.....	....
1928.....	36,879,414	267,420	0.73
1932.....	39,734,351	881,951	2.22

dential contests.⁸⁰ On this basis it will be noted that the maximum electoral achievement of the Socialists was made in 1912, after which date there was a general recession, the decline between 1920 and 1928 alone leaving the party relatively with less than a quarter of the strength it had in the earlier year. For 1932 enthusiasts predicted a vote of between two and three millions, largely in protest against the depression. Evidently, however, the great mass of protest voters determined to take no chances on a Hoover victory and turned to the support of Roosevelt. Nevertheless the total cast for Norman Thomas in 1932 is only a few thousands below the Socialist party's highest record—that for 1912. Relatively, however, it represents a strength less than half as great as that which the party possessed twenty years ago.

Geographically the strength of the Socialist party as shown by the vote of 1932 is greatest in the state of New York where nearly 22 per cent of the total was cast. Illinois, Ohio, California, Pennsylvania, and New Jersey follow in the order named, each however with less than 70,000 votes. Among predominantly agricultural states Minnesota, Washington and Kansas rank highest, each with over 18,000. Throughout the greater part of the country the following of the party is almost too small to count; indeed it is a standing grievance among Socialists that many election boards throw out their ballots. In southern states with the exception of North Carolina only a few hundreds or thousands are recorded.

During the 'nineties of the last century, when the socialist movement was first taking organized form in the United States, its adherents were largely of foreign extraction. This was particularly true of the Socialist Labor party, most of the members of which were of European, and especially of German, origin. The Socialist party, on the other hand, has made vigorous efforts to extend its membership among the native-born population. Considerable success has attended these efforts, not only among laborers, but also in the farming population, in literary, university, and professional circles. It is impossible to say exactly to what extent the present rank and file of Socialists are American by birth. As to the leaders of the party, the *New York Times*

Geographical distribution
Socialist
vote, 1932

Foreign and native-born members of the Socialist party

⁸⁰ Figures for 1900 to 1928 from *World Almanac*, for 1932 from *Literary Digest*, vol. cxv, no. 1, p. 7 (Jan. 7, 1933).

of May 13, 1920, made an investigation of the delegates to the national convention of the Socialist party in that year, which disclosed that 96 of the 156 delegates were born in the United States. Among the foreign-born members the principal countries represented were: Germany, 13; Russia, 12; Finland, 8; and Great Britain, 6. By occupation the great majority belonged to the skilled manual-working class, but there was a minority composed of clerical workers, merchants and salesmen, and representatives of various professions, including 18 editors and journalists, 12 lawyers, and 2 physicians.

Offices
held by
Socialists

Under the prevailing system of election by plurality the Socialist party rarely succeeds in electing any of its candidates to office except in those few districts where its vote is concentrated. Milwaukee's principal municipal offices have been in the hands of Socialists since 1910; incidentally that city enjoys the reputation of being conspicuously well governed.³¹ In 1910 also it sent the first Socialist member, Victor L. Berger, to Congress. The Socialists won control of Reading, Pa., in 1928 only to lose to a coalition of Democrats and Republicans four years later. According to an official estimate made in 1913, Socialists held 667 state and local offices throughout the country. Owing to the disintegrating forces at work within the party since 1920, this number is probably much smaller at present.

Why So-
cialism is
not
stronger
in the
United
States

Repeatedly after local victories by the Socialist party Republicans and Democrats have fused and defeated it in the next election. If the party were to gain sufficient strength in the national field it might have to face a united "Republocratic" opposition; however that eventuality seems sufficiently remote. Indeed despite its present influence and occasional successes the leading question still remains: "Why is it that whereas in Europe the Socialist parties have won a leading position in public affairs, the Socialist party of the United States has, on the whole, lost much of the small vote which it had gathered after so many years of agitation?"³² To this question raised by a well-known Socialist writer, Bertram Benedict, one of the younger intellectual leaders of the movement, has recently made a very incisive and

³¹ See article by Mayor Daniel W. Hoan, "Socialist Milwaukee Points the Way" in *The March of Socialism, 1928-1932*, published by the National Headquarters of the Socialist Party, 549 Randolph St., Chicago.

³² Isaac A. Hourwich, "The Socialist Vote at the Last Election," in the *Socialist Review*, vol. x, p. 76 (April-May, 1921).

comprehensive reply in 1921.³³ Summarized briefly he ascribed the failure of the Socialist party to secure a larger following on the one hand to its inability to free itself from the deductive Marxian mold of thought and to launch its appeal largely from an ethical basis. On the other hand he held that the party's lack of proselyting power was due to various faults in the presentation of its case. Among these tactical errors Benedict listed first the largely foreign-born, industrial, and urban make-up of the party, as a result of which "it does not understand the problems and the concepts of the great mass of Americans, even in the cities, who are not industrial workers. . . . In the second place, the American Socialist movement errs flagrantly in both disregarding and misconceiving the rôle played by personalities in carrying a political movement to fruition by the processes of political democracy. . . . One of the reasons for the American Socialist movement's comparatively feeble hold upon the American people lies in the failure of its leaders [Debs excepted] to impress the American people with a sense of nobility of character and fineness of purpose. . . . In the third place, and as a corollary of the preceding considerations, the Socialist movement in the United States seems blissfully unaware of the part played by administrative ability in the conduct of government, capitalist or Socialist. . . . The dream of most Socialists is an all-Socialist administration, following success at the polls; and at the present time there is probably not sufficient material within the Socialist party of America to fill efficiently merely the ten Cabinet positions. . . . In the fourth place, the Socialist movement in the United States, like the other radical or 'liberal' movements, must learn the essentially unintellectual nature of the electorate's interests and sympathies. The electorate's most open avenue of approach is not that of reasoning; the appeal for its support must warm the cockles of its emotions before success may be dreamed of."

Since Benedict's thoroughgoing critique was written several of the defects he noted have been eliminated. First and most important the party has freed itself largely from Marxism, turning instead to ethical appeal. It has become less alien in composition and has devoted much more attention to agriculture—as to its

Recent
Socialist
reconstruction

³³ *The Larger Socialism*, especially chap. vii, with acknowledgment of the courtesy of The Macmillan Company.

interest in the latter subject note the large number of planks devoted thereto in the platform of 1932.³⁴ Deeply admired and loved by his followers as was Debs, the Socialists have found in Norman Thomas a new leader who impresses all who meet him with "a sense of nobility of character and fineness of purpose." No doubt the earlier appeal of the party was too intellectual (it is hard to deal with *Das Kapital* in any other way); still the corner soap-box was never a high-brow forum and lists of Socialist campaign literature offered in 1932 include such forceful titles as: "Farmers, Your Enemy is Capitalism," "Are We Slaves to Corporations?", "Don't Scab at the Ballot Box," "Stop Bank Failures," "Repeal Unemployment," "Are Radicals Crazy?", "Workers in Slavery at Hoover Dam," and "Use Your Votes to Strike a Mighty Blow for Yourselves." Yet in spite of all such efforts to adapt itself to the American scene the Socialist party remains relatively weaker than before. Perhaps, however, the present depression will bring it a large number of voters who, even if not convinced collectivists, will take this means of registering discontent.

THE COMMUNIST PARTY

Formation
of the
U. C. P.

As noted above the Left Wing groups seceded from the Socialist party in 1919, one forming the Communist party, the other the Communist Labor party. A year later an "underground" convention was held "somewhere between the Atlantic and the Pacific, between the Gulf and the Great Lakes," delegates to which used assumed names in order to throw agents of the Department of Justice off the trail. At this convention fusion was effected between the two Communist groups, with the exception of a so-called Russian Federation, under the name of the United Communist party. Predicting civil war in the United States between workers and a capitalist military régime the program of the U. C. P. advocated dictatorship of the proletariat for the transitional period before the triumph of Communism. Meanwhile the remaining Communists who had been left stranded by fusion, 80 per cent of whom were of Slavic origin, continued their organization and held an underground convention on their own account. At this convention a program was drawn up advocating "armed insurrection and civil war," denouncing the U. C.

³⁴ See Appendix.

P. as not "red" at all but made up of "pink adventurers and charlatans," and even referring scornfully to the I. W. W. as "that most conservative organization."

By 1924 either espionage had so far relaxed or Communists had lost enough of their direct-action ardor to permit the abandonment of underground tactics. Taking the name of the Workers' Party they nominated William Z. Foster, famous for his leadership in the Steel Strike of 1919, for the Presidency. In the ensuing election he received a total of 33,361 votes. Again in 1928 Foster was nominated, his vote increasing to 48,770.³⁵ The platform of the party for the latter year, which significantly enough appeared under the title *Platform of the Class Struggle*,³⁶ ran to the excessive length of over 22,000 words, but it may be read with profit for its statement both of ultimate ends and of transition measures advocated by Communists in the United States.

Since the organization of their movement Communists have sought converts not only by the ordinary processes of political propaganda but also by taking a leading part in heated industrial conflicts in whatever part of the country they may arise; by defending Negroes accused of crime, particularly in southern states, and, especially since the crash of 1929, by organizing demonstrations of the unemployed. Some measure of the success of these tactics is afforded by the numbers attending the national convention of the party which was held at Chicago, May 28th and 29th, 1932. According to the report of a party member fourteen thousand were present of whom five thousand were Negroes.³⁷ "Here they were—the share-croppers, the cotton-field hands, the tenant farmers. Overalled giants from the steel mills. Union Square garment workers. Miners from bloody Little Egypt. . . . They had come in grueling truck rides of a thousand miles. They had hitch-hiked, they had arrived in box cars or day coaches, tin

Communists in 1924 and 1928

Direct action and the Communist convention of 1932

³⁵ States contributing most heavily to the Workers' Party vote in 1928 were as follows: New York, 10,876; Minnesota, 4,853; Pennsylvania, 4,726; Florida, 3,704.

³⁶ Published for the National Election Campaign Committee by the Workers' Library Publishers, P. O. Box 148, Station D, New York City, 1928. The Communist national convention of 1928 was held May 25th to 27th in New York City.

³⁷ Michael Gold, "The Communists Meet" in the *New Republic*, vol. lxxi, p. 117 (June 15, 1932); also Joseph North, "The Communists Nominate" in the *New Masses*, vol. viii, p. 3 (July, 1932).

Fords." The number of delegates at the Chicago Communist convention of 1932 was 903, representing forty-three states. All but thirty-five of the delegates were native-born. William Z. Foster was again named for the Presidency; however much greater interest attached to the nomination for the Vice-Presidency—certainly a situation unparalleled in American political annals—owing to the fact that a young Negro, James W. Ford, was chosen for that honor.

Communist
platform
1932

The so-called Communist Election Platform for 1932,³⁸ like its predecessor of four years earlier, is not so much a program as a manifesto. It is shrill, verbose, boringly repetitious and full of gross exaggerations; nevertheless the severest critic must give it credit for a devastating frankness which contrasts sharply with the pussyfooting style of the pronouncements so often found in old party platforms. There is an excess of invective not unlike that found in a mediæval bull of excommunication, directed against all other parties in the United States. Democrats and Republicans are roundly denounced as savage enemies of the workers and loyal agents of Wall Street. They are accused of having formed a bi-partisan coalition for the protection of the rich. So far, except for the bitterness of the language employed, the platform of the Communists is in full agreement with that of the Socialists regarding the character of the old parties. However the Communists go much further, sharply assailing the Socialists themselves as constituting "a third capitalist party" which is becoming more and more respectable "as the capitalists more and more need it to fool and trick the awakening workers." The Socialist party "supports capitalistic monopoly and trustification under the hypocritical slogans of nationalization of banks, railroads and mines through the capitalist nation. It covers the worst capitalist robberies as steps toward socialism. . . . Its leaders in trade unions help sign wage-cutting agreements, and break the strikes of workers who resist." Republicans, Democrats and Socialists are not the only objects of attack; in addition reactionaries, conservatives, the Farmer Labor party, and the American Federation of Labor are all severely castigated in the Communist platform as hypocritical misleaders of the populace. On the other hand the Communist party portrays itself as "the

³⁸ Published for the Communist Party National Campaign Committee by the Workers' Library Publishers.

political party of the oppressed masses of the people—the industrial workers, the persecuted Negroes, the toiling farmers,” calling upon them “to rally . . . in the struggle to overthrow capitalism and to establish a government in the United States of workers and farmers.”

Like other radicals the Communists are torn between a lesser desire—the wish to present palliatives for the moment; and a greater desire—the urge to portray in detail their New Jerusalem, economic and political. Avowedly the Communist party in the United States is revolutionary; it stands for a militant mass struggle which will lead to a “final liberation from the horrors of capitalism.” Less is made of this point in the platform of 1932, however, than in that of 1928, which declared that the ultimate aim of the party was “the formation of the proletariat into a class; its separation from other classes; the development of its consciousness, organization, and fighting capacity; the organization of a mass Communist party to lead the struggles of the working class against all capitalist parties; the representation of the most general interests of the working class as a whole as expressed in the principles and practice of the Communist International; the overthrow of capitalist rule; the conquest of political power by the working class and the establishment of the Dictatorship of the Proletariat. Resting upon an alliance of the 17 million industrial workers, the 10 million Negroes and the millions of exploited tenant farmers a powerful bloc will be formed which will be able to crush the present dictatorship of the bosses, organize its own state apparatus in the form of workers’ councils, and establish a genuine Workers’ and Farmers’ Government of the United States which will expropriate all large-scale industries, railroads, super-power plants, banks, commercial institutions, and the like, nationalize all large landed estates, establish huge collective state farms, and in short disarm the master class and arm the working masses.”

Dictator-
ship of the
Proletariat

As to palliatives the Communist platform of 1932 summarizes briefly the immediate demands of the party in the following six planks:

Immediate
Communist
demands

1. Unemployment and social insurance at the expense of the state and employers.
2. Against Hoover’s wage-cutting policy.

3. Emergency relief for the impoverished farmers without restrictions by the government and banks; exemption of impoverished farmers from taxes, and no forced collection of rents or debts.

4. Equal rights for the Negroes and self-determination for the Black Belt.

5. Against capitalist terror; against all forms of suppression of the political rights of the workers.

6. Against imperialist war; for the defense of the Chinese people and of the Soviet Union.

Communist
propa-
ganda
among
Negroes

Recent propagandist activities by Communists among Negroes and the nomination of a member of that race for the Vice-Presidency lend particular interest to the fourth immediate demand quoted above. In a nominating speech delivered at the Chicago convention of 1932, it was further defined as follows:³⁹ "We stand unequivocally for *full* political, economic and, especially—we emphasize—*social* equality. . . . We are against all laws—without exception—which discriminate against Negroes, including segregation, Jim-Crow and intermarriage laws. . . . We are uncompromisingly against the lynch terror constantly hanging as a threat over the Negro people; we call upon the masses of workers and poor farmers to enforce the Communist demand—'Death to the Lynchers.' . . . Our demand is that the land of the southern white landlords for years tilled by the Negro tenant farmers, be confiscated and turned over to the Negroes. This is the only way to insure economic and social equality for the tenant farmers. . . . We propose to break up the present artificial state boundaries established for the convenience of the white master class, and to establish the state unity of the territory known as the 'Black Belt,' where the Negroes constitute the overwhelming majority of the population. In this territory we demand that the Negroes be given the complete right of self-determination; *the right to set up their own government* in this territory and the right to separate, if they wish, from the United States." One of the slogans of the Chicago Communist convention chanted in unison by delegates

³⁹ Under the title "Who are the Friends of the Negro People?" this speech by C. A. Hathaway proposing James W. Ford of Alabama for nomination to the Vice-Presidency, has been issued as a campaign pamphlet published by the Workers' Library Publishers, New York.

on the floor and spectators in the galleries following the speech nominating Ford was: "Black and white, unite and fight."

It is beyond question that the Communist party entered the campaign of 1932 with a stronger organization covering a wider territory than ever before. According to a pamphlet recently issued local units or nuclei are first formed, several of these then group themselves into a district, all the districts in the country being united under the Communist Party of the U. S. A., which itself forms a section of the world party of Lenin, the Communist International with headquarters in Moscow. Also the fervor of the party is greater than ever before. Its extremist propaganda finds much readier acceptance owing to widespread depression and unemployment since the crash of 1929. The platform for 1932 takes credit openly for the great hunger marches and demonstrations of the unemployed in hundreds of cities, the strikes of miners, of textile workers, and other "mass mobilizations." In his acceptance speech at the Chicago convention William Z. Foster said: "One thing is certain, before long a Communist will stand at the head of the American government, a Soviet government. He will be there by the revolutionary action of the proletariat, led by the Communist party."⁴⁰ In other words the hope of the party rests upon direct mass action, not upon the ballot.⁴¹ Foster's popular vote in the November election of 1932 was 102,785. This is considerably less than one-half of one per cent of the total cast—a fact worth remembering when next we are warned to be on our guard against the imminent deadly "Red Menace."

Communist
party or-
ganization

⁴⁰ *Acceptance Speeches of Foster and Ford*, p. 32, published by the Workers' Library Publishers, New York, June, 1932.

⁴¹ In addition to the Socialists and Communists the Old Socialist-Labor party met in convention on May Day, 1932, "to pronounce the death sentence on the capitalist system," and nominated for the Presidency Verne L. Reynolds of New York, a former steamfitter. Reynolds was also a candidate of the party in 1928. The Farmer-Laborites, remnant of an agrarian movement which with the aid of the Non-Partisan League was hailed as a possible major party in 1920, also held a convention in 1932 nominating for the Presidency "General" Coxey, who led the famous march of the unemployed on Washington in 1894. There were also two new entrants in the campaign of 1932, the Jobless party which nominated Father Cox of Pittsburgh, and the Liberty party which nominated W. H. (Coin) Harvey of Arkansas. According to the *Literary Digest* of January 7, 1933, p. 7, the various minor candidates referred to above received votes in the election of the preceding November as follows: Reynolds, Socialist-Labor, 34,034; Coxey, Farmer-Labor, 7431; Cox, Jobless, 740; Harvey, Liberty, 53,446.

Failure of
radical
movements
in the
United
States

In accounting for the failure of radical movements to make any such headway in the United States as in Europe, Professor Charles Beard gives the following reasons: On the whole, in spite of great areas of poverty, American working people enjoy a standard of living higher than that prevailing abroad; also they have enjoyed the right to vote for nearly a hundred years and they got this right without a savage struggle against the bourgeoisie; such experiments as have been made in the way of independent radical movements have ended in failure; on the other hand workingmen have been welcomed by both major parties, especially by the Democrats, and with their aid have obtained many elective offices and climbed to high appointive positions in the government.⁴² It will be observed that the factors noted by Professor Beard as hostile to the formation of independent radical movements in American politics are attributable in part to democratic theory, in part to the favorable economic opportunities present in a new country. The democratic theory is still with us, witness the reading of the Declaration of Independence on every Fourth of July. But with the growth of population, the crowding into cities, the disappearance of free land, the advent of large-scale industry, the heaping up of colossal fortunes, and now with widespread unemployment, the economic conditions which discouraged independent radical movements have largely disappeared. Perhaps they can be restored by comprehensive measures of social reform: the paradox of the situation lies in the fact that such comprehensive measures are certain to be originated, if at all, by radical leaders. Unless accepted with sufficient rapidity by one or both the old parties it may be that the near future will witness the sensational rise of a radical movement to power in American politics.

BOOK NOTES

DURING the years of its comparative strength the National Committee of the Prohibition party published the *American Prohibition Year Book*, a valuable compendium of its policies and arguments. In 1917 the National Wholesale Liquor Dealers' Association of America issued a broadside in reply entitled *The Anti-Prohibition Manual*. The history of the party may be followed in D. L. Colvin, *Prohibition in the United States* (1926). A splendid full-length ac-

⁴² *The American Party Struggle*, p. 102.

count of the history, organization, methods and financing of the Anti-Saloon League is presented by *P. H. Odegard, *Pressure Politics* (1928). Also valuable and brought down to date are *C. Merz, *The Dry Decade* (1931); *H. L. McBain, *Prohibition Legal and Illegal* (1929); and M. L. Tydings, *Before and After Prohibition* (1930). In melodramatic fiction the case for prohibition is stated by Upton Sinclair, *The Wet Parade* (1931). No student of the question can afford to ignore the much and unjustly maligned report of the Wickersham Commission, the official title of which is **Report on the Enforcement of the Prohibition Laws of the United States* (1931), House Document No. 722, 71st Congress, 3d Session. L. F. Schmeckebier, *The Bureau of Prohibition* (1929), discusses enforcement, giving particular attention to the qualifications and method of appointment of enforcement officials.

Corresponding to the campaign text-books of the two major parties the Socialists have also published brief but comprehensive manuals. The issue for the campaign of 1932 was entitled **A Plan for America*. Current campaign and periodical literature on the Socialist and Communist parties has been referred to in footnotes to the preceding chapter.

F. E. Haynes, *Social Politics in the United States* (1924), is a comprehensive survey from a social and economic viewpoint of all third parties and related movements down to that date. Light is also thrown on the social background of these party movements in the popular novel *Main Street* (1920), by Sinclair Lewis.

The general literature of socialism is so vast that selection is extraordinarily difficult. However, the writer has found the following particularly helpful with students beginning the study of the subject: *S. Chase, *A New Deal* (1932); H. W. Laidler (ed.), *Socialist Planning and a Socialist Program* (1932); N. Thomas, *America's Way Out* (1931) and *As I See It* (1932); W. Z. Foster, *Toward Soviet America* (1932); M. Hillquit, *History of Socialism in the United States* (4th ed., 1906), and *Socialism in Theory and Practice* (1909); R. Hunter, *Socialists at Work* (1908); H. G. Wells, *New Worlds for Old* (1908); J. Spargo jointly with Professor Arner, *Elements of Socialism* (1911); I. B. Cross, *Essentials of Socialism* (1911); W. E. Walling (ed.), *The Socialism of Today* (1916), a source book on socialist and labor parties in all countries, and by the same author, *Socialism as It Is* (1912); J. W. Hughan, *The Socialism of Today* (1916); and H. W. Laidler, *Socialism in Thought and Action* (1920). A brief but most judicious contribution is made by H. J. Ford, "Radicalism in American Politics," *Yale Review*, n.s. Vol. IX, pp. 759-770 (July, 1920). *B. Benedict, *The*

Larger Socialism (1921), is a remarkably able work indicting the Socialist party in America for its procedure along various lines and presenting the Socialist thesis from a non-Marxian point of view. For exposition and cogent criticism from the anti-socialist point of view, *O. D. Skelton, *Socialism: A Critical Analysis* (1919), is invaluable.

In the form of fiction the following are interesting: Edward Bellamy, *Looking Backward* (1889); W. D. Howells, *A Traveller from Altruria* (1894); Jack London, *Iron Heel* (1908); Upton Sinclair, *The Jungle* (1906), *King Coal* (1917), *Jimmie Higgins* (1919)—all written from the socialistic point of view; and, in defense of the existing order or anti-socialistic, John Hay, *The Breadwinners* (1883); T. Dixon, *The One Woman* (1903); and D. M. Parry, *The Scarlet Empire* (1906).

PART III

PRESENT CONDITIONS OF PARTIES IN THE
UNITED STATES



CHAPTER VIII

ORGANIZATION OF POLITICAL PARTIES

ALTHOUGH not the most essential, certainly the most obtrusive feature of contemporary political parties is the enormous extent and complexity of their organization. At bottom this development is due to the extensions of suffrage made under the stress of the democratic impulse during the nineteenth century. In no country has party structure been elaborated to a greater degree than in the United States. A rather striking evidence of this fact is found in the habit prevalent in some of our commonwealths and cities of referring colloquially to the dominant political party simply as "the Organization."

Extent and complexity of American party organization

However complicated the total mass of machinery involved, the principle underlying organization for political purposes is simplicity itself. First the territory to be organized must be divided into local units small enough to be handled for electoral purposes by the party authority established therein. Above these local units various larger districts, each with its own party organ, must be set up, the whole hierarchy culminating in an authority coextensive with the country itself. Naturally, divisions and subdivisions of territory established by law, such as wards, towns, counties, and states, are utilized for the purpose of political districting, since the principal aim of parties is to nominate, elect, and control the legal office holders in each of these bailiwicks.

Underlying principle of party organization

There is something of the simplicity and directness of military organization in the structure of political parties. It is a significant fact that while our government in the federal, state, and municipal spheres has been profoundly influenced by the doctrine of the separation of powers and check and balance among them, theories of this sort have had little or no effect upon our party organization. Instead, what has been aimed at and to some degree attained in party structures may well be described as a "natural pyramiding of influence."¹ To this extent the organization of political parties in the United States is more closely akin to that

"Natural pyramiding of influence"

¹ W. Lippmann, *A Preface to Politics*, chap. i.

of an industrial corporation or of a labor union than to that of our constitutional government.

Temporary
and perma-
nent organs

The organs of party government are of two kinds—temporary and permanent.² To the first class belong conventions and primaries; to the second, the whole hierarchy of party committees ranging from precinct, ward, or town committee at the bottom to the national committee at the top of the party structure. Theoretically the temporary are of higher power than the permanent party organs. Primaries and conventions make nominations, and this function is not only of the greatest practical importance, it is also, as we have had occasion to note, the typical characteristic of a political party. In addition conventions exercise the power of formulating the party's official creed through platforms. This is the nearest approach to legislative action possessed by any party organ. Further, the power possessed by conventions to pass upon contesting delegations is, or at least should be, exercised in judicial fashion. In a sense, therefore, conventions, which by the way are always single-chambered bodies, possess legislative, executive, and judicial powers. Of course, direct primaries, which have supplanted conventions wholly in some states, do not function legislatively or judicially, but they do retain the prime executive power, that of making nominations. Finally, the convention is assumed to be the party assembled in the persons of its duly chosen representatives; the direct primary is the whole membership of the party taking action officially in its name.

Functions
of party
committees

On the other hand, the hierarchy of permanent party committees possesses, except in cases of emergency, administrative functions only. It takes the necessary steps preliminary to the holding of conventions or primaries, and it is assumed to carry out loyally the decisions of the latter. So far, it will be observed, the system of party committees appears to be inferior in the scope of its powers to conventions and primaries and also to be subordinated to the latter in the exercise of its own powers. Practically, however, this relationship may be reversed; indeed, such is frequently the case. There are several reasons why party committees often dominate the situation. In the first place, conventions and primaries are temporary affairs, the former usually lasting less than

² A third subdivision might be recognized, that of the auxiliary bodies formed during a campaign to promote party success or to emphasize some feature of the party program. For a discussion of such bodies see chap. xii.

a week, the latter lasting only a few hours or a day. Party committees, on the other hand, last from campaign to campaign or for definite terms, such as four years or two years, and their members are more or less actively engaged in political manipulation during a large part of the time. Further, party committees are made up of seasoned politicians, the "regulars" of the organization, many of whom hold public as well as party office. Men of this type form a large element in all conventions, frequently exceeding in number the non-party office holders, who may be said to be the militia of politics. By carefully arranging the preliminaries of a convention or direct primary, therefore, party committees are often able to predetermine action on all important issues and candidacies. Afterward success or failure at the polls depends largely upon the conduct of the campaign by party committees. It is true, of course, that the direct primary was devised principally with the purpose of overthrowing the predominance of the party organization, but it is also true that this result is secured only in exceptional cases.

Leaving for future discussion the temporary organs of party—*viz.*, conventions and primaries—let us turn to the structure and functions of the permanent system of party committees. At the bottom this system is represented by the precinct committee or committeeman, the "unit cell" of the party structure.³ As a rule, two principal factors are considered in determining the size of precincts: (1) the number of votes that can be cast conveniently in a day, which is of major importance in cities; and (2) the distance which voters must cover to reach the polls, which is of major importance in rural districts. On the basis of the presidential election of 1932, the average actual participation per precinct throughout the country was exactly 332 votes. Various local standards prevail as to the size of precincts. In Illinois the law provides that each precinct should contain as near 500 voters as may be, and is to be subdivided when the number exceeds 800. The Ohio law permits subdivision when the number exceeds 400. The New York election law (§ 64) provides that each town with more than 500 voters and each ward with more than 600, or, if voting machines are used, each town or ward with more than 700, shall be divided into election districts. However, a town or ward with not more than 1,000 voters need not

The "unit
cell" of
party
structure

³ C. E. Merriam, *The American Party System*, p. 68.

be divided if two voting machines are used. In 1932 there were 119,643 precincts in the United States. The number was increased greatly throughout the country during the years immediately following 1920 owing to the enormous expansion of the electorate due to woman suffrage. Subsequently the rate of increase has been slower than that of population, probably because of the introduction of voting machines. Thus in Pennsylvania there were 8169 precincts in 1924 and 8322 in 1930, an increase of less than 2 per cent while the population of the state had been growing at a rate three times as fast.

Organized
and unor-
ganized
precincts

In sections of the country where one of the major parties is in a hopeless minority it may happen that a great many precincts are not organized, that is, are without committees or committeemen of that party. This is true, for instance, of the Republican party in many sections of the "solid South," and it is true of the Democratic party in such "rock-ribbed" Republican states as Pennsylvania. Strenuous efforts are made to fill up such gaps, particularly during national campaigns, but with partial success only. With these exceptions, however, the major parties have committees or committeemen in every precinct throughout the country. Like nearly all party offices, these posts are unsalaried. However, in all cases where the party has a chance of success in elections they are sought after more or less eagerly by local leaders. Formerly they were filled by caucuses of voters in the precinct. Nowadays in states which have adopted the direct-primary system, candidates for such posts are usually nominated upon a petition signed by a small number of electors and chosen in the ensuing primary election by plurality vote of the enrolled party members in the precinct.

Precinct
committee-
men and
"heelers"

Whether the party authority in the precinct is made up of a single committeeman or by a small committee is a matter of minor importance. In the latter event it will nearly always be found that one member of the committee plays a dominant rôle, the others serving as his official lieutenants in some subdivision of the precinct, or, it may be, taking charge of certain details of the work under the leader's direction. When there is a single committeeman in a precinct he will, as a rule, have a retinue of from three to a dozen or more unofficial followers ready at all times to undertake, without direct remuneration, such political duties as he may assign to them. If, as is usually the case in

boss-ridden communities, these followers are so subservient as to be willing to perform not only routine work of the organization, but also to undertake shady commissions or even to commit crimes against the ballot box, they are known as "heelers."

The official duties of a precinct committeeman cover all the local details of the voting process, such as assisting aliens to procure naturalization papers, registration and enrollment, conducting campaigns, getting out the maximum party vote at all primaries and elections, providing watchers, nominating polling clerks and other election officials, watching the count, and hurrying reports of the result to headquarters. In the execution of these manifold details much must be left to the local knowledge and personal resourcefulness of the committeeman. To some degree, however, his work is supervised and directed by the higher party authorities of the city or county. From the latter the local leader may ask aid in undertakings too large or too highly specialized for local management, such as providing political literature or sending speakers to public meetings. The precinct committee is entitled to draw upon the city or county committee for its share of campaign funds collected by the latter, and also for its share of patronage, jobs, and other political favors wherewith to reward its own members or their faithful henchmen. Usually the precinct committee is expected to supply all the workers or "heelers" needed for purely local jobs, but in cases of emergency special workers may be sent in from the outside. In boss-ridden communities some of the latter are likely to be "experts" in bribery, colonization, repeating, and the commission of other election crimes. Considering the possibility of criminal action there is a manifest advantage in having "experts" of this character come from other wards, counties, or, if the district is close to a boundary line, from a neighboring state.

Official
duties of
precinct
committees-
men

In addition to his official duties a precinct committeeman finds much to occupy his time. Naturally it is to his advantage to take as active and helpful a part as possible in the social life of his bailiwick. In slum wards, as we shall have occasion to note later, he becomes a sort of personal providence to his people in all the trials and afflictions of their lives from day to day. Even in districts of a higher type the local leader is "a very present help in trouble," especially if the trouble is of a sort which requires adjusting with public authority. For example, gentlemen who

Social
duties of
precinct
committees-
men

would like to have their tax assessments reduced, or the street lighting of their neighborhood improved, or who, perchance, have learned too late that their automobiles could not outrace the motorcycle policeman, all find the friendly interest of the local political leader an asset of considerable importance. A precinct leader in a middle-class suburban community with which the author is familiar makes it a practice to send in the names of a large number of his busy fellow citizens—of course, without their knowledge—for jury duty at the county court. What they do know is that he is always most happy to “see the judge” and secure exemption for them.

Number of
committee-
men and
party
workers

On the basis of but one committeeman to a precinct Professor Merriam estimated the number of such party officers in 1922 at 100,000 for each of the major parties, a total of 200,000 for the country as a whole.⁴ It is impossible to tell how greatly this number has been increased since the adoption of the woman-suffrage amendment by the addition of women committee members; nevertheless throughout large sections of the United States the rule now prevails that for every committeeman there must be a committeewoman. Taking the country as a whole, the organization of the minor parties is very fragmentary and incomplete; in the aggregate, however, they must have many thousands of local workers in the field. If each of the major parties musters an average of six workers to a precinct—certainly a conservative estimate—the total number of active Democratic and Republican partisans in the country would be close to 1,500,000. In addition to these regular troops every hard-fought campaign witnesses the formation of innumerable auxiliary committees, clubs, and organizations which spring up like mushrooms, and as rapidly fade away after the election. They are the militia of American party battles, and all told may equal or even exceed the number of regulars in the field. In the aggregate, therefore, each of the major parties may have from a million to a million and a half local workers actively engaged in a presidential campaign.

Higher
party
officials

No account is taken in the foregoing estimate of higher party officials. In all probability, however, the latter form no larger a proportion of the total forces engaged in a campaign than the

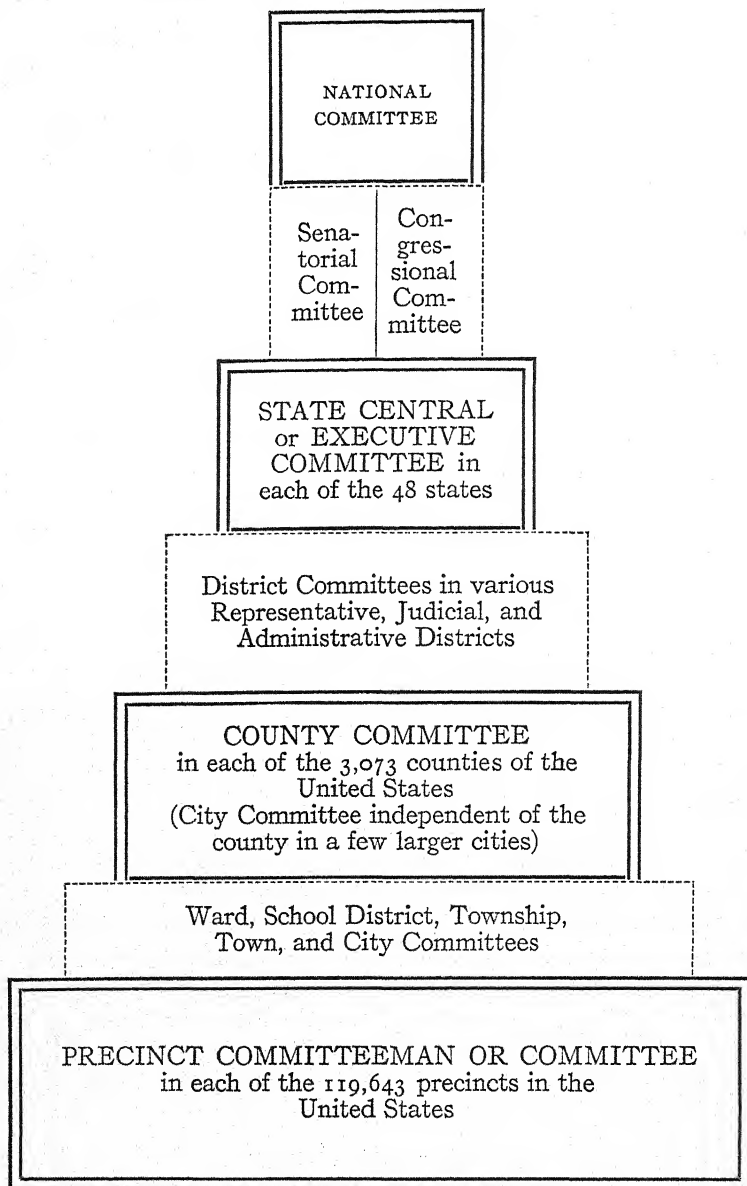
⁴ *Op. cit.*, p. 69. On the same basis at present the total would be close to 240,000.

proportion of commissioned officers to an army in battle. The arrangement of authorities in the party hierarchy is exhibited in the diagram on the following page.

Immediately above the precinct authorities, it will be observed, are various ward, township, town and city committees. In some cities the precinct is not organized as such, the ward committee being the smallest local party organ. Not all of the other committees named above are to be found in a given territory. Thus in a small town there may be no ward committee, and quite frequently no party authority exists between a rural precinct committee and the central committee of the county in which it is located. Usually a ward committee is composed of one or more precinct committeemen from each of its precincts, and the township, town, city, and even the county committees are similarly recruited from below. Thus the leading committeeman chosen by caucus or direct primary in a precinct may be *ex officio* a member of the ward, city, or county committee. Or the derivation of powers may be reversed, as, for example, in Pennsylvania, where the successful candidate in a precinct for the office of county committeeman is recognized as the party committeeman in that precinct. Further, as for example in Indiana, the rules may provide that congressional district committees shall be composed of the chairmen of the various county committees in the district, and that in turn the state central committee shall be made up of the chairmen from the several congressional districts.⁵ Whether or not the rules so provide it is the general practice to choose the dominant personality of each local committee to represent it in the committee immediately above. As a result of this simple and natural interlocking device a high degree of coordination is secured from the state central committee at the top of the structure to the hundreds or thousands of precinct committees at its base. It should be noted that in a few of our larger cities which are coterminous with counties or in which the county government has been supplanted by the municipal establishment there are no county committees, the city committee being recognized instead. Party organization in such large cities is

Ward,
township,
town, and
city
committees

⁵ *Rules Governing the Democratic Party in Indiana, 1928*, pp. 1, 2. The Republicans follow the same rule adding, however, the women vice-chairmen to the chairmen who sit *ex officio* as members of the next higher committee. See *Rules and Regulations of the Indiana State Republican Committee, 1930*, part i, sec. 1.



much more elaborate than in small towns or rural districts, and for that reason will be described in some detail later.

Between the precinct and other purely local party authorities, on the one hand, and the state central authority, on the other, the county committee usually stands out as a particularly vigorous center of political activity.⁶ This is accounted for in part by the convenient size of the county, which makes it possible for party officials to reach every precinct readily and for committeemen to come to central meetings without having to travel any considerable distance. Local leaders and influential voters are obliged to visit the county seat for many purposes and it thus becomes a natural center for political conference and gossip. Of even greater importance as explaining the prominence of the county committee and its leaders are the considerable salaries and not too onerous duties attached to various elective county offices—commissioners, judges, sheriff, prosecuting attorney, treasurer, auditor, and the like. There are in the United States some 45,000 elective county offices of this sort, making an average of fifteen to a county. Finally there is a list several times larger than the foregoing of appointive county offices carrying smaller salaries as a rule, but all eagerly sought after. Since civil-service tests are employed in only a score of counties, the great majority of these offices also are conferred as rewards for meritorious party service. Hence the importance of a county chairman who is able to dominate his committee and dispose of such “plums.” Indeed, in the absence of a state boss it is not at all unusual to find the party organization of a state under the more or less complete control of a small group of influential county chairmen.

County
committees

Between the county committee and the state committee there are various district committees functioning in districts fixed by law for the election of Congressmen, judges, and certain administrative officials. Compared with the county committee below

District
committees

⁶ The importance of the county in political organization varies with the section of the country. C. L. Jones, “The County in Politics,” *Annals of the American Academy*, vol. xlvii, pp. 85-100 (May, 1913), notes that “the ‘county ring’ of the Middle West is known in New England only by report.” Pennsylvania is “one of the states in which the county organization has developed greatest strength.” In the southern states “personal politics rather than party politics are the characteristic of political struggles and the county does not afford an agency of control easily seized upon by the candidates.”

them and the state committee above, these bodies are of minor importance. Not infrequently their only business is to look after the election of a candidate for a single office at intervals of two or more years. Most of this work may be transferred to the county chairmen of the counties making up the district. The latter, indeed, often compose the membership of such district committees.⁷ In other cases district committees are made up of members chosen to represent smaller territorial units, such as counties or legislative districts.⁸

State cen-
tral com-
mittees

Next in order in the party hierarchy are the state central or state executive committees. Both the major parties are represented by a committee of this character in each of the states of the Union. Some of these committees have had a long and distinguished history, being lineal descendants of the "committees of correspondence" formed during the pre-Revolutionary period in certain of the Colonies. At the present time state central committees are extraordinarily lively centers of a rather variegated political activity. Exceptions exist in the case of those states where the party outlook is hopeless and where, in consequence, their main preoccupation is the distribution of crumbs of federal patronage. Apart from such instances, however, state central committees may play an important rôle in the nomination of state tickets; they are the principal agencies in campaigns for the success of such tickets; and, finally, they have a great deal to say regarding the distribution of appointive offices within the gift of the governor and other state elective officials. Owing to the device of the electoral college the states are also the natural divisions of the country in presidential campaigns, and here again the state committee becomes an agency of prime importance under the general control of the national committee. Finally, as we have already noted, the state committee is often the chosen battleground of groups of powerful county and city leaders. Hence "possession of the central committee is, if not conclusive,

⁷ As in the case of Indiana Congressional District Committees. See §2, *Rules Governing the Democratic Party in Indiana*, May 1, 1928; §§33, 47, *Rules and Regulations, Indiana Republican State Central Committee, Revised and Adopted*, 1928, 1930. Recently the county vice-chairman, who "must be of the opposite sex from the person who has been elected chairman," has also been given a seat on the Republican Congressional District Committee in Indiana.

⁸ Cf. Rule 7, *Rules of the Republican State Committee*, New York, adopted September 26, 1930.

at least presumptive evidence of party authority and control, . . . one of the external marks of sovereignty."⁹

A survey of the 96 state committees of both parties made before the advent of national woman suffrage in 1920 showed that they ranged in size from 11 members in Iowa to approximately 460 in California, the average being from 30 to 40. Since that date several of them have been doubled in order to make room for women members; also there have been increases due to the growth of population.¹⁰ California still heads the list with a Republican State Central Committee of 574 members in 1930. The matter of size is of considerable importance, for if the committee is very small it will transact most of its business directly; if it is unwieldy it must perforce depend upon executive officers and committees. Members of state central committees are chosen most commonly by counties or congressional districts, but the legislative district is used in a few cases, and there are some instances of a combination of these methods. The usual term of membership is two years, but four years is the rule in some states; in New Jersey it is three years. Recently the tendency has been to lengthen the term of membership, thus giving greater stability to the organization. As to methods of choice of state committeemen there is no uniformity. Sometimes they are selected by delegates to the state convention from the area adopted as the unit of representation, or by congressional, county, or district conventions. More commonly of late they are chosen in official primary elections by direct vote of enrolled party members. In Minnesota members of the state central committees are

Size of
state com-
mittees

⁹ C. E. Merriam, "State Central Committees," *Pol. Sci. Quar.*, vol. xix, pp. 224-233 (June, 1904).

¹⁰ The present size of state committees in various sections of the country as reported in 1931 by their chairmen is as follows:—with the congressional district as the basis of representation—Alabama, Democratic, 50; Georgia, Democratic, 126; Indiana, Democratic, 13, Republican, 26; Kentucky, Democratic, 48; North Carolina, Democratic, 120; South Carolina, Republican, 25; Virginia, Republican, 66; Wisconsin, Republican, 55; with the county as the basis of representation—Arkansas, Republican, 95; New Jersey, Republican, 45; Oklahoma, Democratic, 154; with the state senatorial district as the basis of representation—Connecticut, both parties, 70; Massachusetts, Republican, 80; Pennsylvania, Democratic, 113, Republican, 226; with the state assembly district as the basis of representation—New York, both parties, 300; with the county and senatorial districts as bases of representation—Delaware, Democratic, 66; with the state representative district and town as bases of representation, Rhode Island, Democratic, 99. The average size of the above twenty-one state committees is slightly over 100.

elected following the direct primary by the nominees chosen in the latter for state offices and for Senators and Representatives in Congress—a plan which has the advantage of securing a desirable measure of harmony between candidates for office and the committees managing their campaign.¹¹

Republican
senatorial
and con-
gressional
committees

In the national field each of the major parties has three committees, two of lesser importance known as the senatorial committee and the congressional committee, respectively, the other, which is the topmost structure of the whole party organization, known as the national committee. Each of these three committees is separate and distinct in composition from the others. The Republican Senatorial Campaign Committee, which dates from 1916, is composed of seven members, appointed by the chairman of the Republican caucus for a term of two years. Reappointment of members is now the common practice, however, except when it is made impossible by the unwritten law that no Senator who is a candidate for re-election shall be a member of the committee during his own campaign. The Republican Congressional Committee was originally formed in the late 'sixties, during the struggle with President Johnson. From 1882 to 1894, however, it was not so active as it has subsequently become. It is now made up of one member from each state which has Republican representation in the House, the member being chosen by the party delegation of the state for a term of two years. In the present (72d) Congress there are thirty-seven such states.

Democ-
ratic
senatorial
and con-
gressional
committees

On the Democratic side the National Senatorial Committee is composed of six Senators chosen by party caucus for a term of two years. There are no subcommittees, but a secretary-treasurer is appointed to take charge of permanent headquarters in Washington. In the lower House each state delegation of Democrats elects one of its members to the Democratic National Congressional Committee, which is reorganized every two years. The committee chooses the usual executive officers, with the exception of a treasurer, who is appointed by the chairman. Usually the chairman is authorized to fill all vacancies in the membership of the committee and to appoint a woman to membership thereon from each state. In addition to the usual committees there is a Women's Executive Committee. The functions of these com-

¹¹ *General Laws of Minnesota*, 1923, ch. 125, sec. 1.

mittees are essentially the same as those of the corresponding committees on the Republican side.

Coming now to the national committees, which are by far the most important of the permanent organs of party government in the country, they were formerly composed of one man from each of the states, territories and insular possessions. In 1920, however, the Democrats anticipated the adoption of the Nineteenth Amendment by providing for the addition of a woman member from each state or other district represented, the Republicans following suit four years later. At present the Republican National Committee has 106 members, one man and one woman from each state and from Alaska, Hawaii, Porto Rico, the District of Columbia, and the Philippine Islands. Besides the foregoing the Democratic National Committee includes two from the Canal Zone and one from the Virgin Islands, making its total membership 109. Members of the national committees are chosen for a term of four years, sometimes by the delegation from a given state to the national convention, sometimes by the state convention itself, and in increasing numbers of recent years by direct primary elections.

As in the case of party committees generally, the national committee elects its own executive officers, with the important exception, however, that the presidential nominee of the party is permitted to name the national chairman. This practice is due to the conviction that the nominee has the greatest single stake involved in the campaign and should therefore be given the privilege of choosing as his chief of staff a man in whose loyalty and efficiency he has entire confidence. During a campaign the responsibilities of the chairman of a national committee are enormous. In the rush of events he must make executive decisions of every kind with the utmost despatch, always, of course, after such consultation as he is able to obtain with the presidential candidate regarding matters of major importance. It is not too much to say that the chairman becomes the whole committee which is seldom called together, the individual members being engrossed with details of the campaign in various states. Among the more successful managers of hard-fought campaigns have been Marcus A. Hanna for McKinley in 1896 and 1900; George B. Cortelyou for Roosevelt in 1904; Vance McCormick for Wilson in 1912; and Will Hays for Harding in 1920. William M. Butler of

National
committees

Officers of
national
committees

Massachusetts was the Republican and Clem Shaver of West Virginia the Democratic National Chairman of 1924. In 1928 the Republican National Committee elected Dr. Hubert Work of Colorado, Secretary of the Interior, as its chairman, at the suggestion, of course, of Herbert Hoover, who had reached a decision on this important matter within seven days after his nomination. Naturally the press of the country commented upon the promptness with which the "engineering hand" of the candidate had "reached for the throttle." Alfred E. Smith took two weeks for his choice, naming John J. Raskob of Delaware, who was promptly elected chairman by the Democratic National Committee. It was an unusual, not to say an amazing, selection, particularly since Mr. Raskob was a former Republican. He held one of the most conspicuous positions in the business world—the headship of the Finance Committee of General Motors—but was wholly without previous experience in practical politics. For 1932 typical appointments were made, James A. Farley of New York as Democratic, and Everett Sanders of Indiana as Republican, National Chairman.

National
chairman
and federal
patronage

In case of victory at the polls the national chairman and the more influential members of the committee become important factors in the distribution of federal patronage. The successful national chairman may himself be rewarded with a Cabinet position, usually that of Postmaster General, owing to the patronage involved. Of course he and the more prominent of his committeemen may also be consulted in matters of policy by the President they have helped to elect. Hanna was perhaps the most influential of all national chairmen in the latter respect, but he owed his influence more to the dominant position he had obtained for himself in Ohio politics and his election to the Senate from that state in 1900 than to the personal favor of McKinley.¹² It is a striking fact that with this one exception no national chairman of recent date has achieved a place of permanent power in national politics. The explanation seems to be twofold; first, that, in spite of the importance of the work performed by a national chairman during a campaign, he is, after all, a lieutenant acting for the presidential candidate who remains the leader throughout; second, that, while certain national chairmen have shown themselves masters of political manœuvering and minutiae to a point of surpassing cleverness,

¹² Cf. Herbert Croly, *Marcus Alonzo Hanna*, chs. xvii to xxiii inclusive.

such talent is not highly esteemed by the electorate so that they either refrain from candidacy on their own account or are little successful in that rôle. Of course the national chairman whose party has been defeated in a presidential campaign has no chance to figure in administration circles at Washington. Nevertheless he and his committee are not without importance, chiefly because of their power to organize the party and to arrange preliminaries for the next national convention. Thus John J. Raskob, who was chosen by Alfred E. Smith to direct the Democratic national campaign of 1928, played a conspicuous part in the affairs of the party until he was superseded in 1932 by James A. Farley, the appointee of Franklin D. Roosevelt.

Until a decade ago national committees relapsed into a state of "innocuous desuetude" following a presidential campaign, not resuming their labors until late in the year preceding the next election. Thus in 1919 a member of the Democratic National Committee remarked: "It was the custom of this body immediately after the presidential election had passed—and the custom seemed to prevail whether we succeeded, as we did in Cleveland's time, or lost—of going out of business in a week or two, just as soon as we could pay up the bills, and indeed sometimes we went out of business before we did that."¹³ Following the campaign of 1912 it is true that an effort was made by the Progressive party organization to continue its educational work, but with little success. For a great many people "politics is adjourned" following an election, and during a considerable period thereafter they wish to hear as little as possible about the organization and its plans. Particularly is this true in case of defeat, a fact long since recognized by unsuccessful candidates who for the most part consider it wise to shun publicity temporarily at least. Since 1920, however, the national committees have developed with considerable success an increasingly active form of *ad interim* campaigning through their permanent headquarters and officials in Washington. They have played a much larger part in mid-term congressional elections not only in order to gain legislative seats but also to establish the party on a firmer foundation for the national contest two years later. If sufficient funds are available money is spent lavishly in such work. Thus it was testified that Will Hays had paid out nearly \$1,200,000 for headquarters, publicity, and

National
committees
between
campaigns

¹³ *Proceedings*, 1920, p. 468.

general expenses in the eighteen months preceding the meeting of the Republican national convention of 1920, that is, before the presidential campaign of that year had actually begun.¹⁴ Between 1928 and 1932 Jouett Shouse, chairman of the executive committee of the Democratic National Committee, and Robert H. Lucas, who occupied a similar position in the Republican party, kept up an interchange of arguments, chiefly in the form of press handouts, which attracted wide interest. Collectively, however, the National Committees seldom take important action between campaigns. They meet once immediately after the conventions adjourn to ratify the choice of the presidential candidate as chairman, surrendering into the hands of the latter virtually all powers and responsibilities for the campaign and thereafter until his successor is appointed. Usually they do not meet again until nearly four years later in December or January preceding the next convention for which they must make certain preparations.¹⁵ In general national conventions, which consider themselves the true depositories of party sovereignty, have opposed strongly the assumption of power by national committees. Nevertheless in two recent cases, both connected with representation in the party organization, the committees have played an important part. One of these was the action taken regarding the addition of women members to the national committees themselves of both parties (1920, 1924), which was referred to earlier in this chapter. The other, which concerned the Republican party only, was the series of changes made from 1913 to 1924 with the purpose of reducing the number of delegates sent by southern states to the national convention.¹⁶ Efforts by the national committee or by its chairman to determine platform policy have not fared so well. The questionnaires circulated by Will H. Hays in 1920 raised no controversies, but neither did they receive much consideration in the Republican convention of that year. On the other hand Chairman Raskob's efforts in 1931 to formulate the platform policy of the Democratic party on prohibition for the following year provoked a whirlwind of denunciation from leaders of the party in Congress and out. Nevertheless the convention itself took a position on the

¹⁴ *Hearings before the Sub-Committee of the Senate Committee on Privileges and Elections*, 66th Congress, 2d Session, vol. ii (1921), 2127-2128.

¹⁵ See ch. xi below.

¹⁶ For further details see ch. xi.

issue in comparison with which the Raskobean proposals were weak indeed.

In the line of campaign activities the principal function of the senatorial and congressional committees of the two major parties is to secure the election of the largest possible number of party candidates to Congress. During presidential years, of course, the fate of many congressional contests depends upon the sweep of the national ticket. Even in mid-term elections, when the senatorial and congressional committees are most active, the influence of the President as party leader must be consulted. Hence the general attitude of the senatorial and congressional committees is that of cooperation with the national committee. None of the three is given authority over the other, but the national committee is immensely the more efficient in the raising of money, the distribution of literature, and the conduct of campaign activities generally.

Campaign
activities
of national
committees

The overshadowing importance of the national committees in the two great parties is due to the fact that they are responsible for the conduct of the campaign for the election of a President and Vice-President, with all its fateful consequences. Upon victory in such campaigns depends the result not only of many congressional but of many state and local contests as well; the control of the federal executive for the four ensuing years; the patronage at its disposal and the influence it may be able to exert upon legislation and administration. A fairly reliable index of the effectiveness of party committees is afforded by the amount of money at their disposal. In the presidential campaign of 1920 the funds handled by the Democratic and Republican National Committees were considerably in excess of the combined funds of the senatorial, congressional, and state committees of the same parties.¹⁷

Importance
of national
committees

In the foregoing description of party committees of every rank it was noted that as a rule representation is based equally upon certain territorial units. This plan has the advantage of securing the widest possible geographical distribution of party representation. It suffers, however, from the manifest defect that it takes no account of the actual voting strength of the party in the districts concerned. In a few exceptional cases efforts have been made to give due weight to the latter factor. Thus according to

Repre-
sentation
on party
committees

¹⁷ For detailed figures, see ch. xiii.

the New York election law (§ 12), county committees shall consist of at least two members from each election district and of such additional members as the rules of the party may provide, proportional to the party vote in the district for governor at the last preceding election. If no additional members are provided for by the rules the voting power of each member of the committee shall be proportionate to such party vote. Illinois provides that in the county committee each precinct committeeman shall have one vote plus one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for governor at the last general election.¹⁸ However, these exceptional cases merely prove the general rule of representation by geographical districts regardless of the party vote therein. Whatever injustice may thus be done to "solid" districts is apparently considered to be more than compensated by the encouragement given to districts where the party vote is lighter due to the plan of equal representation.

Representation of
women
voters on
party committees

With the adoption of the Nineteenth Amendment political parties were brought face to face with the problem of making room within their official hierarchies for representatives of women voters. Considering the large addition made to the electorate by the suffrage amendment, this was a problem of the first importance. Also it was fraught with danger, for if any considerable number of women should be estranged as a result of failure to give them proper recognition, the results to the offending party might be most serious. Prior to this time party leaders had given scant attention to the subject of feminine psychology, and, conscious of this deficiency, they approached the problem with some trepidation.

Three
plans for
the representation
of women

In the twelve years that have elapsed since the adoption of the suffrage amendment in 1920, various plans for the representation of women on party committees have been experimented with by both parties. These plans fall into three main classes: (1) the establishment of purely auxiliary committees of women; (2) the opening up of existing offices in the party hierarchy to both men and women on equal terms; and (3) the requirement that women should be seated in equal numbers with men on party committees. It must not be inferred that a clear-cut, logical application has been made of any one of these plans anywhere. On the contrary,

¹⁸ Revised Statutes, 1921, § 373, ch. xlvi, p. 876.

they have been combined apparently without rhyme or reason throughout the party structure. In the resulting chaos it is possible to find within the same party and even within the same state one of these plans applying to one committee and another to others. Nevertheless, some progress has been made, and out of the present welter of experimentation a fairly definite and uniform solution should eventually emerge.

With regard to the advantages and disadvantages of the three plans now under trial some general observations may be made. The establishment of purely auxiliary committees composed wholly of women was a quite natural expedient. For time out of mind it had been the practice of the officials and committees making up the regular party organization to encourage the formation of *ad hoc* bodies for every emergency or special purpose. During campaigns the multiplication of such bodies goes on apace and their loyal and enthusiastic aid becomes of great value. There is, however, little analogy between such temporary campaign committees and the representation of women voters in the party organization. The latter is not an emergency, but a continuous function, general rather than specific in character—in short, an opportunity not merely to serve, but to govern as well. Whether so intended or not, the plan of separate women's committees lends itself readily to the suspicion that the regular party committees composed entirely of men purpose retaining all the more important functions and emoluments of organization control in their own hands. As long as women were unfranchised they might have been content, at least they were perforce content, with membership on "auxiliaries" and "ladies' aid" societies. But with full enfranchisement such second-class opportunities merely to take orders and to serve soon became distasteful to them. And as voters in their own right they were strongly inclined to demand real instead of sham representation in the party organization.

Auxiliary
committees
of women

Opening up all party offices to men and women on equal terms—the second plan for representation of women voters in the party organization—may seem at first sight simple, practical, and ideally fair. Apparently no one questions the justice of this arrangement as applied to elective public offices. Hence when women were finally given the vote on the same terms as men they were in general held to be entitled to hold public office on the same terms as men. In effect this meant that they might attain to official

Equal op-
portunities
for women

power and emoluments provided they could defeat men in open contest for the same. During the decade that has elapsed since the ratification of the national suffrage amendment women have in fact competed for public office with a creditable degree of success. Thus according to a report compiled by the National League of Women Voters in 1931, six of the 435 members of the House of Representatives are women, three of whom were elected originally to fill vacancies caused by the death of their husbands. Two women have been elected governors of states but neither was reelected at the expiration of her term.¹⁹ In 1921, the first year following the adoption of the Nineteenth Amendment, twenty-nine women won seats in state legislatures; subsequently they have met with increasing success as candidates so that at present 146 women are serving as members in the legislatures of thirty-nine states, thirteen of them as state senators.²⁰ While complete figures are not available it is safe to say that more women are holding offices in counties than in any other unit of government, particularly as treasurers, tax collectors, assessors, auditors, clerks, recorders, school superintendents, also as members of school and election boards. Four of the commissioners of Cook County, Illinois, in which Chicago is located, are women who conducted a joint campaign using as their slogan: "What Cook County Needs is a Capable Housekeeper." The only large city which has had a woman mayor is Seattle;²¹ however

¹⁹ Mrs. Nellie Tayloe Ross, Democrat, of Wyoming, who was elected to fill the unexpired term of her husband, deceased, serving from January, 1925 to January, 1927; and Mrs. Miriam A. Ferguson, Democrat, of Texas, who served during the same period. Mrs. Ferguson's husband, a former governor of the state, had been impeached and removed from office in 1917; however his disabilities were removed by the legislature in 1925. Mrs. Ferguson was again elected governor of Texas in 1931, and is now the only feminine head of a state government in the United States. Women members in the present, 72d, Congress are as follows: Senate—Hattie W. Caraway, Ark.; House—Willia B. Eslick, Tenn.; Florence P. Kahn, Calif.; Mary T. Norton, N. J.; Ruth Bryan Owen, Fla.; Ruth Pratt, N. Y.; and Edith N. Rogers, Mass.

²⁰ The nine states which in 1931 had no women representatives in their legislatures were Alabama, Kentucky, Louisiana, Michigan, Nevada, Oklahoma, South Dakota, Tennessee, and West Virginia. New England has shown itself most favorable to women legislators, 64 of the 146 at present having been elected in that section of the country. According to parties they were divided as follows: Republicans, 88; Democrats, 51; Socialists, 1; non-partisan, 4; on both Democratic and Republican tickets, 2.

²¹ Mrs. Bertha K. Landes, Republican, from 1926 to 1928. The population of Seattle in 1930 was 365,583.

eight towns are now presided over by women and they have served in considerable numbers as members of city councils and boards of education. Impressive as the above results may seem in the aggregate it is nevertheless true that the proportion of women in Congress, state legislatures, city councils, and in elective offices generally falls far below the proportion of the vote cast by women in popular elections.

Application of the equal opportunity rule to all party offices would doubtless have had much the same effect. Possibly women might have secured a larger proportion of the latter because they carry no salaries and hence are less eagerly desired by men. In many cases at the same time women were declared eligible for party offices on equal terms with men the number of such offices was doubled, with the understanding that room would thus be made for women without dislodging any male incumbents. Undoubtedly this arrangement makes it considerably easier for women to secure something like their proportion of party offices. Nevertheless it leaves them at a considerable disadvantage in practice. Male politicians "know the ropes" and male voters participate in primaries and elections to a much larger percentage of their registration than women voters. In spite of the fact that full suffrage rights were granted to women in 1920, there remains from the preceding epoch a deep-seated prejudice among many men, and not a few women also, against active participation by the latter in politics. If applied generally, therefore, the plan of equal opportunity would have left party control in the hands of committees on which men held large majorities and in all probability this condition would continue indefinitely.

Results in
practice

No doubt such a result would have been eminently satisfactory to all those who object to the active participation of women in politics. From the point of view of general party policy, however, it suffers from the disadvantage that sooner or later it is bound to provoke the criticism and opposition of women who take the privilege of the suffrage seriously. Moreover, if one of the parties worked out a plan securing a more nearly equal representation of women on its committees this fact might be used with some effect to win over disgruntled women voters from other parties. A system of organization which predisposes any considerable element in the party membership to revolt is, of course, unsatisfactory, even dangerous. Parties have long recog-

Disadvan-
tages of
the equal-
opportu-
nity plan

nized this fact and, as a consequence, have usually shown themselves eager to conciliate every considerable body of voters regardless of strict theories of representation in proportion to numbers. Thus national conventions welcome delegates from territories, insular possessions, and the District of Columbia, although none of these is represented in the electoral college. For a long time the over-representation of southern states in Republican national conventions was defended on the ground that it encouraged the rank and file of the party in that section to make a valiant fight against great odds. Western state conventions have received delegations of Indians and the foreign-born with every mark of distinguished consideration.²² In short, the policy generally followed has been based on the consideration that, like politeness, generosity in according party recognition costs little and may be counted upon to bring in rich rewards on election day.

Equal division of committee places between men and women

The third plan—that of dividing committee places equally between men and women—not only attempts the generous attitude, it makes such an attitude mandatory. In all cases known to the writer it begins by doubling the number of committee places. This has the advantage that men holding committee places are left undisturbed, but it has the disadvantage of making some of the committees unwieldy. In districts largely inhabited by naturalized foreigners the plan requiring equal representation of the sexes has been objected to on the ground that it displeases many men voters and is not desired by most of the women voters. Nearly everywhere, of course, women do not as yet participate in elections as freely as men. The number of women who work actively in politics is much smaller than that of men so engaged. To the extent that these conditions prevail it is, of course, true that the mandatory assignment of an equal number of places on party committees to women results in the over-representation of the really active voters of that sex. On the other hand, such a policy gives every possible encouragement to women to participate in political work as freely as men do. From the campaign point of view the adoption of mandatory equality by a party in advance of its rivals may succeed in attracting to it a certain voting strength. Other parties which may wish to bid for the same support will find it awkward to offer women voters a less measure

²² For an amusing illustration see A. H. Shaw, *Story of a Pioneer*, p. 249.

of party representation and quite out of the question to offer them more.

Representation of women on party committees even to an equal extent with men does not dispose of all the difficulties in this connection. Committees may, as we have seen, have very little real power. Officers of committees, particularly county and state chairmen, may have very great powers. To make room for women on committees by doubling their membership was scarcely any trouble at all. Obviously, however, this device cannot be applied to the more important executive offices provided for by party rules. For men to monopolize all such places would, of course, cause trouble sooner or later, probably sooner. To give the offices of chairman, secretary and treasurer to men and the offices of vice-chairman and assistant secretary to women does not impress one as a permanent solution, either. If the principle of equality of opportunity is to be regarded in this connection women should be made eligible to the more important executive offices on the same terms as men, with the further proviso that when the chief of two positions is filled by a representative of one sex the second place should go to a representative of the other sex.

Women in
party
offices

Some conception of the way these various plans of representation have been combined in practice may be gained from the following brief summary of conditions in the state of Pennsylvania. Beginning with Delaware County, the author's residence, women of both major parties are given equal representation on the county committee, but the principal executive offices are held by men. Practice with regard to the representation of women on county committees is not uniform throughout the state, however. Democratic women have an equal right to compete with men for places on the state committee of that party, the result being that at present they make up about a tenth of its membership. The Republican party has adopted a rule providing that each senatorial district shall elect one male and one female member of the state committee. In both parties the post of state chairman is held by a man—a condition which exists at present throughout the Union. However according to the latest available lists thirty-eight Republican and thirty-four Democratic state committees have women vice-chairmen.²³

Pennsyl-
vania
methods

²³ *World Almanac*, 1931, p. 917. It is a rather curious fact that most of the states not reporting women vice-chairmen are southern, although there are a

Women in
national
committee
offices

Coming now to the national committees, as stated above the Democratic party since 1920 and the Republican party since 1924 have provided for one man and one woman member from each state. In the division of executive offices including places on the executive committee the Republicans have established an almost equal numerical balance; at present out of twenty-five such positions eleven are held by women. However this result is accounted for largely by the presence of nine women who are members of the executive committee simply. All the more important positions—those of the chairman, first vice-chairman, executive directorship, secretary, treasurer, and general counsel—are held by men.²⁴ Similarly the chairman, secretary, treasurer, and chairman of the executive committee of the Democratic National Committee are men. However of its five vice-chairmen two are women, one of whom, by the way, is designated first.²⁵

Organiza-
tion of
third
parties

Third parties in the United States have organized themselves, as a rule, along the same lines as majority parties. In geographical extent and in effectiveness, however, such organizations fall far short of their great prototypes. The Socialist and Communist parties are the only ones which differ considerably from the old parties in form and functioning. The former possesses a written constitution which sets up a degree of centralized control not openly recognized in other American parties, modified somewhat by the democratic processes of the initiative and referendum.²⁶ It also makes provision for foreign-speaking federations within the party, for the Young People's Socialist League (which had approximately 2000 members in 1931), for propaganda among

few western and New England states on the list. For the Republican state committees it includes Alabama, Arkansas, Georgia, Idaho, Mississippi, North Dakota, South Carolina, and Texas; for the Democratic—Arizona, Arkansas, Florida, Georgia, Idaho, Louisiana, Mississippi, North Dakota, Rhode Island, South Carolina, Texas, Vermont, and Virginia.

²⁴ *World Almanac*, 1931, p. 894. The second vice-chairman of the Republican National Committee is a woman, also, of course, the Director of the Woman's Division.

²⁵ *World Almanac*, 1931, p. 907.

²⁶ *National Constitution of the Socialist Party*, adopted in convention in New York City, April, 1928, approved by referendum vote of the membership, December 27, 1928, published by the national office of the party, 2653 Washington Boulevard, Chicago. Formerly the recall of party officials was also permitted under the Socialist party platform but this provision was dropped at the national convention of 1928.

women, and for the sending of delegates to international Socialist conferences.

All persons joining the Socialist party must sign a pledge as follows: "I, the undersigned, recognizing the necessity of an independent working-class political party aiming at the collective ownership and democratic administration and operation of the collectively used and socially necessary means of wealth production and distribution, hereby apply for membership in the Socialist party. In all my political actions while a member of the party, I agree to be guided by the constitution and platform of the party." Payment of regular monthly dues is also required as a condition of retaining membership and participating in party affairs. Members residing in a given district to the number of five or more form organized "locals" which in larger cities were assigned to branches according to assembly districts. More recently a ward and district structure based on geographical or political divisions has been established.²⁷ In addition to individual members the party has affiliated with it various progressive and labor groups which are in sympathy with its aims and methods, such as cooperatives, educational or labor fraternal benefit societies, and trade unions. Members of these groups also pay dues and are entitled to representation in local, state and national conventions. The ward or district groups referred to above are subject to the jurisdiction of a central town, city, or county organization, the latter to a state organization, and the various state organizations to the National Executive Committee of the party. In other words the present structure under which the Socialists operate differs in no essential particular from that of the older parties.

In the national field the affairs of the Socialist party are administered by a National Chairman, a National Executive Committee, and various national officials; by National Conventions; and finally by the general vote of the party—all the foregoing of course being commonplace enough with the exception of the last mentioned.²⁸ The National Chairman is not chosen by the

Membership and locals in the Socialist party

National organs of the Socialist party

²⁷ See Art. X, *National Constitution of the Socialist Party*, 1928. According to the Communist platform of the same year, p. 15, the Socialists in changing from a membership organization to a ward organization showed that they had shifted the basis of the party from the working class to the lower middle class.

²⁸ There was also a National Committee composed of one member for each state with one additional for each 25,000 party voters, but this body was abolished at the Milwaukee Convention of 1932.

presidential candidate as in the two old parties; instead he is elected by vote of the delegates at the national convention,²⁹ as are also his associates on the Executive Committee. Subject only to the superior authority of the National Conventions and vote by the general membership the National Executive Committee is the governing body of the Socialist party. It is composed of the National Chairman and ten members, not more than two of whom can come from any one state. They are chosen by secret ballot, a majority of votes cast at the convention being necessary for election, and serve for four years, that is from one national campaign to the next. The National Executive Committee calls conventions, receives dues and reports from subordinate organizations, conducts national referendums, and in general directs all the current business of the party from one convention to the next, meeting every three months, except by unanimous consent in favor of postponement, for these purposes. Incidentally it is the custodian of all national party property. A salaried Executive Secretary, chosen by the N. E. C. for the term of one year, directs its work and that of its subcommittees on Organization, Propaganda, and Finance. Although the Socialist party has always advocated equal rights regardless of sex its constitution makes no mention of women in connection with membership on national, state or local committees. Only one member of the National Executive Committee elected in 1932 is a woman.

Democratic
control of
Socialist
party
officials

One interesting peculiarity of the Socialist party, perhaps more common in the past than at present, is a certain distrust of permanent presiding officers. It was feared that they might absorb too many powers, contrary to the democratic ideal of the party. The almost invariable practice was to choose a temporary chairman for each meeting; for example, the rules of the national convention of 1928 required that "a Chairman and Vice-Chairman shall be elected at the beginning of each day's session." Rotation in office to this extreme degree was criticized trenchantly by a prominent party member as follows: "the inexperienced and incapable is called upon to take his turn at presiding; not only is free speech maintained, but the loquacious orator is suffered in-

²⁹ Morris H. Hillquit of New York was re-elected National Chairman of the Socialist party at its 1932 convention, receiving the vote of 108 delegates to 81 cast for Daniel W. Hoan of Milwaukee. On the basis of the vote the delegates were entitled to, according to the membership they represented, the vote was Hillquit, 7526; Hoan, 6984.

definitely before the gavel falls."³⁰ Another evidence of the dislike felt by Socialists for centralizing tendencies within the party was shown by the inclusion in their platform of a recall provision applicable to more important party officials. Subsequently, however, while retaining the initiative and referendum they have abandoned the recall, although according to the party constitution of 1928 the Executive Secretary may be dismissed at any time by the National Executive Committee. Members of the latter body may be removed from office by the National Committee after due hearing on charges and by the affirmative vote of two-thirds of its members. However as the above sketch of party organization shows, a considerable degree of centralization and stability has been attained. Further the Socialist party employs permanent organizers, lecturers, and secretaries to a greater degree in proportion to its size than any other party. Assisted by numerous volunteers and the party press, these paid workers carry on a vigorous propaganda, which, unlike that of the major parties, is not confined to political campaigns, but is continuous.

National conventions of the Socialist party are called by the executive committee, regular conventions being held in all years during which presidential elections occur, and special conventions at any other time if decided upon by a general vote of the party membership or by a two-thirds vote of the National Executive Committee. An emergency convention of the latter sort was held at St. Louis in April, 1917, at which the party placed itself on record with regard to the impending war.³¹ The number of delegates is determined by the National Committee but there must be at least one from each state, the remainder being apportioned according to the vote cast for the party's candidate for President in the preceding election. There are also "fraternal delegates" representing foreign language federations and the Young People's Socialist League who have a voice but no vote. In the Milwaukee Socialist convention of May 20-24th, 1932, there were 229 delegates, among them 20 women. According to the party constitution delegates are elected by referendum vote of the members unless otherwise provided by the laws of the state. Delegates to Socialist

National
conven-
tions
of the
Socialist
party

³⁰ On this and other details of the organization and work of the Socialist party the reader should consult the excellent account presented by J. W. Hughan, *American Socialism of the Present Day*, pp. 204-220.

³¹ See B. Benedict, *The Larger Socialism*, ch. v.

national conventions receive their traveling expenses and a modest per-diem from party funds.

Socialist
platforms
and refer-
endum
votes

The platform adopted at the Socialist national convention is "the supreme declaration of the party, and all state and municipal platforms shall conform thereto." Before it goes into effect, however, it must be submitted to a referendum vote of the membership. One fourth of the regularly elected delegates to a convention shall be entitled to have alternative paragraphs submitted at the same time. In addition to the obligatory referendum thus provided for on the platform, the party constitution also establishes the initiative for motions or resolutions to be voted upon by the entire membership of the party. Formerly these were brought forward upon the request of locals representing only five per cent of the dues-paying membership, eight per cent being required for amendments to the constitution. Subsequently, however, the initiative requirement was increased to 20 per cent; also a constitutional amendment was adopted to limit the period during which seconds can be received to 90 days. Motions are submitted to membership vote without preamble or comment but arguments not to exceed 200 words, both for and against any proposition, may accompany the text printed on the ballot. Finally the party constitution now provides that whenever a motion, resolution or an amendment has been regularly initiated and passed upon by the membership, another motion that conflicts with it shall not be considered for at least six months.³² In other words practical considerations have compelled the Socialist party to restrict to a degree its former rather lax initiative practice. To counteract this restriction, however, the National Executive Committee must issue a call for resolutions and suggestions four months before the convention, submitting the materials received to the subdivisions of the party for amendment and revision, and finally reporting the results to the convention itself.

Socialist
party disci-
pline

While individual members of the Socialist party are entitled to participate directly in the formulation of platforms and policies to a degree unknown in the older organizations, they are also subjected by the constitution to certain rather drastic restrictions. Thus "no member of the Socialist party shall, under any circumstances, participate in the primaries of the Democratic, Republican or other parties whose policies and platforms are inconsistent

³² Art. xiv, § 5.

with those of the Socialist party, nor vote for or advocate voting for any candidate other than those nominated, endorsed or recommended by the Socialist party." Formerly such conduct was branded as "party treason," punishable by expulsion. Another clause of the present constitution provides that no party members shall accept or hold any appointive public office, honorary or remunerative (civil service positions excepted), without the consent of the state organization.

Formerly it was a Socialist custom to require candidates to submit signed but undated resignations from the offices to which they aspired. In case of disloyalty to party principles by office holders these resignations were dated and presented to the proper authority.³³ Also it was the rule that "no party member may be a candidate for public office without the consent of the city, county, or state organizations, according to the nature of the office," nor were Socialist candidates permitted to accept any nomination or indorsement from any other party or political organization. The foregoing rules were by no means dead letters, censure and expulsion being used drastically to purge the party of undesired elements. At present, however, the Socialist party constitution contains no provisions specifically applying to candidacy,³⁴ the matter being covered presumably by Article X, section 4, which makes all members subject directly to their town, city or county organization, which in turn is subject to the state organization.

Socialist
rules re-
garding
candidates

Certain restrictions and duties are also imposed upon Socialists in office by the party constitution. Voting by such representatives to appropriate moneys for military or naval purposes, or for war, was formerly made punishable by expulsion from the party. At present the party constitution merely provides that "members of Congress elected on the ticket of the Socialist party shall submit reports of their actions in Congress to the National Con-

Rules
applying to
Socialists
in office

³³ For an interesting illustration of the use of such resignations, see J. W. Hughan, *op. cit.*, p. 212.

³⁴ Except the requirement of a period of membership of at least three years for certain party offices, viz., National Chairman, National Secretary, member of the National Executive Committee, International Secretary and International Delegates. Formerly party membership of at least two years' duration was a prerequisite for Socialist nomination or indorsement for public office, exception being made, however, in the case of organizations which had been in existence less than two years.

ventions";³⁵ and, further, that "in all legislative bodies such as Congress, state legislatures, boards of supervisors, or town councils, Socialist party members shall organize into a group separate and apart from all other parties. They shall elect a chairman and in support of all measures definitely declared for in the platforms of the party, they shall vote as a unit."

Socialist
isolation

Like most rules for the regulation of party conduct the Socialist policy of isolation is not without its exceptions, the most conspicuous being the support given LaFollette in 1924. Should the party increase materially in voting strength and representation these exceptions will doubtless become more frequent. As a matter of fact the constitution now permits a certain degree of latitude in such external relationships.³⁶ State organizations of the party may cooperate with organizations of labor, working farmers and progressive groups in "independent political action," the last mentioned phrase being defined as meaning the nomination and election of candidates by groups organized in express opposition to political parties supporting capitalism. However the programs and platforms adopted for such joint political action must not be inconsistent with the platforms and principles of the Socialist party. All state organizations desiring to cooperate with groups of the character named above must secure the approval of the National Executive Committee. But no state or local organization is permitted to fuse, combine or compromise with the Democratic, Republican or any other political party whose policies and platforms are inconsistent with those of the Socialist party, or to endorse candidates nominated by such parties.

Officers of
party com-
mittees
generally

In all parties political committees are provided with the usual executive officers—chairman, vice-chairman, secretary, and treasurer—elected, as a rule, by the committee itself. In addition the larger political committees appoint a number of special committees, the more common being an executive committee, a finance committee, and a committee on vacancies, with perhaps one or two others of a miscellaneous character. For example, the Massa-

³⁵ Formerly they were obligated also to carry out instructions given by the national conventions, the National Executive Committee, or by general referendum in support of measures proposed by the Socialist party.

³⁶ *National Constitution of the Socialist Party*, 1928, Art. X, sec. 7. For discussion of the policy of isolation see J. W. Hughan, *op. cit.*, p. 214; M. Hillquit, *Socialism in Theory and Practice*, p. 176.

chusetts State Republican Committee at one time maintained a legislative committee, an Americanization committee, and a registration committee.

Among the various party officers named above, the most important is usually the chairman. As we have already noted, the chairman of a county committee is frequently the dominant political figure in his county. Somewhat less frequently the chairman of a state committee is able to play the same rôle on his wider stage. In any event, his office is of great strategic importance. The chairman of a finance committee, particularly one whose personal connections permit him to tap certain large sources of campaign revenue, is also in a position to wield great influence.

Importance
of party
chairmen

Until quite recently the composition of party committees, and their functioning as well, were provided for by rules adopted by the committees themselves. To a very large extent this condition has been modified by the enactment of state laws on the subject.³⁷ So far as the composition of party committees was concerned, these laws did little more than to unify and legitimize the conditions established under party rules. However, one change of great importance was made by the application of the direct-primary method of election to members of party committees. Even fewer modifications were made by the new state laws in the functioning of party committees. Thus the Illinois law merely provides that they shall have "the powers usually exercised by such committees," and that they shall not delegate them. Of these two clauses the first simply continues the *status quo ante*, but if the second were to be enforced it would work a profound change in party management. The New York law (§ 15) contains an interesting requirement to the effect that "every state and county committee shall within fifteen days after its election meet and organize by the election of a chairman, treasurer, and secretary, and such other officers as its rules may provide, and within three days thereafter file with the secretary of state and the board of elections of the county a certificate stating the names and post-office addresses of such officers."

Party rules
and legis-
lation

In general the rules of party committees are much more ex-

³⁷ Cf. *General Laws Relating to Primaries, Caucuses and Elections*, Massachusetts, 1930, ch. lii; *Election Laws of the State of Ohio*, 1930, ch. vi. In the *Rules and Regulations of the Indiana Republican State Central Committee*, revised 1930, statutory provisions make up nearly a quarter of the text.

Details of
party rules

tended and explicit than the laws so far enacted on this subject. They provide in detail for the election of officers and committees, the distribution of powers among them, and for the transaction of business by the whole committee, the latter in accordance with the generally recognized methods of parliamentary practice. Two or three only of the functions of party committees are of so peculiar a character as to deserve special mention. Thus it is not uncommon to find a rule providing for the ousting of members of the committee who have been convicted of disloyalty to the party or ticket. A provision of this character is even included in the New York Election law, § 16. It covers corruption in office as well as disloyalty to the party. The *Rules Governing the Republican Party of Delaware County, Pa.*, require all members of the county executive committee to pledge support to the entire county ticket as nominated at the last primary election. In case a member shall refuse to make this pledge the county executive committee shall declare his place vacant and proceed to elect another qualified Republican from the same precinct to take his place. Of greater importance than the foregoing are the rules providing for the filling of vacancies occurring in the ticket by death or otherwise after the convention or direct primary election has been held. In some cases this function is performed by the committee as a whole, in others it is intrusted to a special "committee on vacancies." According to Rule VI of the Republican State Committee of New York "no candidacy for any nomination for public office shall be endorsed by this Committee." The principle involved, that of hands-off in pre-convention or pre-primary struggles, should apply to all party committees. Nevertheless it is often disregarded openly or covertly, causing an immense amount of political strife and personal ill-feeling. Finally, in those states or districts where the direct primary election system has completely supplanted the convention it is not uncommon to find rules empowering the party committee to draft a platform.

Actual
location of
power in
party com-
mittees

One may read all the laws and rules on the subject of party committees, however, and still have a very incorrect idea of the actual location of power therein. Functions assigned to the committee as a whole may in given instances be exercised to all practical intents and purposes by the chairman or the executive committee. Or the real reins of power may be in the hands of various public office holders who have no official connection

with the system of committees. At all times the national committee must give the most careful consideration to the wishes of the President whom the party has elevated to power. The views of influential leaders of the party in Congress must also be taken into account, whether or not they are members of the committee. Between a governor and leaders in the legislature, on the one hand, and the state committee, on the other, the same general relationship exists. In counties and cities the party organization is more likely to dominate public office holders, but a mayor of force and character may reverse this situation. Individual party members of powerful personality and wide popularity must also be reckoned with by party officials. Bryan's influence over the Democratic party from the time of his first nomination in 1896 to his death in 1925 is the most conspicuous recent example of personal influence in the national field. Whether in or out of public office, men like Cleveland, Wilson, Roosevelt, Root, Taft, Hughes, and Coolidge are able to exercise a notable influence upon the conduct of affairs by party office holders. Finally, in cases where a well-organized machine has been set up actual leadership may be found concealed within or even quite outside the official party structure. The boss may prefer to remain a private member of the committee and yet be able to dominate its every move. Sometimes, indeed, he prefers to have no official connection whatever with the organization, controlling its actions through trusted lieutenants who hold all the strategic party offices.

Similar indefiniteness exists regarding the actual distribution of powers as between committees of different rank in the party hierarchy. In fact, the word hierarchy itself is somewhat misleading in this connection. The national committees of the major parties have no power of compulsion over the state committees nor the latter over county committees. In cases of factional disturbance it is not uncommon to find the party leaders and organizations of a group of counties vigorously fighting the state organization controlled by another group of leaders of the same party. On the other hand, every effort is made during campaigns to secure "harmony," and, in appearance at least, a united front is presented as against the opposing party. At all times, and particularly during campaigns, the hope of obtaining funds from committees higher up is a powerful factor in securing coopera-

Distribu-
tion of
powers
between
committees

tion. The interlocking of committees of lower with those of higher rank through membership of leaders of the former in the higher committees is also a useful factor in securing concerted action. In the last analysis much depends upon the spirit of unity in the party rank and file. Considering all these factors, it is clear that in general a remarkable degree of cooperation is actually obtained from the top to the bottom of the party structure.

Material
rewards of
party office

Party committeemen of whatever rank in the hierarchy of the major parties receive no salaries as such. There are, however, a few salaried positions in connection with the permanent headquarters maintained by a small number of the more important committees. In some cases the expenses incurred by committeemen in attendance at meetings are defrayed out of party funds. Usually, therefore, membership in the governing organization of a party entails some expenditure both of money and of time. Demands upon the time of party officers vary greatly. In large cities there are many workers from precinct leaders up who "do politics 365 days in the year," as the saying is. Except during campaigns, however, the great majority of party officials give a small part of their time only to political activities, depending for a livelihood upon some business or professional pursuit of their own. Of course in case of party victory many committeemen are rewarded by election or appointment to public offices carrying a salary. And under machine control the holding of party office may be made lucrative in many shady ways. There can be no doubt, however, that a considerable proportion of the men and women serving in minor party offices the country over do so without hope of material reward, largely because of devotion to party principles or out of sheer "love of the game."

Other motives for
service on
party committees

The motive of spoils and pelf is, therefore, far from being the only one that animates this vast and complicated mechanism of parties. That it is too prominent is equally beyond question. In general the personnel of party committees is distinctly inferior to that of the holders of public elective offices. Of course the latter are salaried and therefore the competition for them is much more strenuous. It is this competition, by the way, which selects the abler or more ambitious holders of party office for public preferment, leaving the less able or less ambitious in mere party positions. Also candidates for and incumbents in public office are

subjected to a much more severe public scrutiny and criticism than holders of party office.

After all, it is not county, but party, government which is the "darkest Africa" of American politics. Elihu Root's use of the phrase "invisible government" in this connection was fully justified. A large number of changes of method—the direct primary, corrupt practices acts, and the like—have been made with the hope of improving this neglected area. But a change of personnel is more greatly needed than any mere changes of method. If able and disinterested men and women could be induced to stand for party offices generally there is every reason to believe that the whole level of our public life would be raised materially.

Improve-
ment of
personnel
of party
committees

BOOK NOTES

THE *Rules and Regulations* of political committees of every description are the best documentary materials for the study of the formal organization of parties. These are printed in limited numbers for the use of committee members, but copies may usually be secured by correspondence with their chairmen or secretaries. In this pursuit unlimited persistence and a little "influence" are a necessary part of the collector's equipment. A list of the state chairmen of both parties is published annually in the *World Almanac*.

All the general works on political parties cited in the Book Notes under Ch. I devote more or less space to the organization of political parties, those by Ostrogorski and J. Macy being particularly full on this topic. *C. E. Merriam, *The American Party System*, Chs. I-III incl. (2d ed., 1929), presents a brief general account followed by a penetrating analysis of presidential, congressional, gubernatorial, and unofficial leadership. *F. R. Kent, *The Great Game of Politics* (1926), devotes a large amount of space replete with vivid illustrations to party organization; see also his *Political Behavior* (1928). Collateral materials are supplied by S. Lewis, *Readings in Party Principles and Practical Politics*, Ch. XVI (1928); and in J. McGoldrick, *Scrapbook of Politics* (1933). H. Croly, *Marcus Alonzo Hanna*, Chs. XVI *et seq.* (1912), narrates in detail the operations of one of the most influential national chairmen of recent times. Methods of manipulating political machinery, particularly in the national campaign of 1920, are described at length by H. M. Daugherty, *The Inside Story of the Harding Administration* (1932). Of all the many treatises on the Socialist party, J. W. Hughan, *American Socialism of the Present Day* (1911), still gives the most informing account of the party's organization and its workings.

CHAPTER IX

MACHINES AND BOSSES

Rousseau
on govern-
ing officials

IN A striking passage of the *Social Contract*,¹ Rousseau points out that a governing official is dominated by three wills; first, his particular will as an individual which tends only to his private advantage; second, the will that is common to him as one of the governing body, tending to the advantage of that body; and, third, the will of the people or the sovereign will. An ideal democratic system of government would reduce the will of the individual to a nullity, the will of the governing body to altogether subordinate proportions, and exalt the will of the people as ruler and sole director of the others. Human nature being what it is, however, each member of the administration thinks of himself first as an individual, second as a magistrate, and lastly as a citizen.

Illustrated
in party
govern-
ment

The principle thus enunciated by Rousseau finds many striking illustrations in the field of party government. Given organizations of such enormous extent as those described in the preceding chapter, wielding great but ill-defined and ill-regulated powers, it is inevitable that self-seeking and political class interests should manifest themselves at every turn. Theoretically party government exists to give effect to the will of the majority of party adherents, who desire, presumably, the best interests of the state. To a considerable extent it actually does this. Certainly no party organization can stand for any length of time against a definite determination on the part of its rank and file. But such definite determinations are exceptional, the characteristic attitude of the rank and file on many issues is apathetic, hence the wide area within which party officials may move in their own interests.

Names and
nicknames
of ma-
chine rule

So clearly marked is this self-seeking feature of American party politics that various names and nicknames—organization, machine, gang, ring, boss—have been evolved to characterize the agencies and degrees of participation in it. The word “or-

¹ Book iii, chap. ii.

ganization" is colorless morally; it connotes power and discipline to the general public, and to the politician loyalty, hence the latter uses it proudly and takes great care to preserve, at least outwardly, his regularity as an organization man at all times. Briefly, the organization is the system of permanent party committees as a whole, or that part of the system which is confined to a given state, county, or city. In addition to greater centralization of power and discipline the term "machine" connotes use of the organization to an end outside of its proper purposes, hence perversion to some degree. A political machine may be defined as a party organization within which a few men have gained a degree of control, particularly over nominations, elections, and appointments to office and the official conduct of incumbents, sufficient to enable them to pursue their own ends alongside with or even to some extent contrary to those of the party. Needless to say the term is loosely employed, a Republican organization man easily perceiving the turpitude of the Democratic machine, and *vice versa*. Usually some degree of reproach is implied by the word although Boss Platt of New York was visibly pleased when on the floor of a state convention one of his opponents declared that, considering how smoothly and irresistibly it operated, he must "run his machine with electricity."

Among faithful followers the men who dominate a machine are referred to respectfully as leaders. To their opponents they are collectively the "gang" or the "ring." Both these terms indicate a determination to dominate by fair means or foul. "Gang," as, for example, in the famous Pennsylvania marching song, is the broader term, including all who participate in machine processes and in perquisites, the small-fry politicians along with the dominant figures. "Ring," on the other hand, refers to the inner circle of the machine, those who plan and control on a large scale nominations, campaigns, elections, appointments, and the conduct in party and public office of their henchmen. The most notorious rings in the history of the country were the Tweed Ring in the Tammany machine of New York, and the Gas Ring in the Republican machine of Philadelphia.²

Like all oligarchies, rings are peculiarly liable to internal strife. The "boss"

² Cf. J. Bryce, *The American Commonwealth*, pt. v, chaps. lxxxviii and lxxxix; G. Myers, *The History of Tammany Hall*, chaps. xxiii-xxv; S. P. Orth, *The Boss and the Machine*, pp. 72-80, 93-98.

Composed of masterful personalities, jealous of one another's power and always dissatisfied with their share of the spoils, dissensions among them sometimes result in the elevating of a dominant figure, the "boss." Subject to internal disorders, a ring may exist without a boss, but no boss has ever succeeded without a ring to support and assist him. Of course the methods and morals of a boss are largely those of the ring, the former rendered somewhat more efficient by centralization of power in the hands of one man, the latter clarified slightly perhaps by his greater responsibility and intelligence.

Causes of
bossism

Oligarchies have made their presence felt commonly enough in the parties of Europe;³ indeed of recent years the Communists in Russia, the Fascists in Italy and the "Nazis" (National Socialists) in Germany have been thoroughly dominated by bosses. Nevertheless the machine and bossism, in the narrower selfish sense of both terms, are typical American products. Many reasons have been advanced for this untoward development. Rapid territorial expansion, the prodigality of nature, the growth of wealth and general diffusion of material well-being, drew the attention of our citizens from government to the economic conquest of nature, thus leaving the field of politics open to inferior and self-seeking types. Our favorable geographical situation, aloof from threat of war and invasion, left us indifferent to one powerful motive for government efficiency. Slavery and immigration made our population heterogeneous, thus enabling designing politicians to appeal to racial and national prejudices. Certain political practices and ideas fixed during the Jacksonian period—the spoils system, rotation in office, the choice of as many public officials as possible by election—have undoubtedly contributed to the growth of the machine. Fear of a strong administration, extant from the beginning of our national life, enabled the corruptionist to temper law enforcement at innumerable points to his private advantage. The doctrine of the separation of powers, checking and balancing each other—also a legacy from the Fathers—was carried to so extreme an extent in state and municipal government as to make necessary and inevitable the intervention of a powerful and highly centralized outside political

³ Cf. Robert Michels, *Political Parties: a Sociological Study of the Oligarchical Tendencies of Modern Democracies*.

control.⁴ Finally, in our capitalist democracy there is a wide discrepancy between the weight of influence, financial and industrial on the one side, political on the other. Great business combinations enormously strong economically, but weak in voting power, face great popular masses, weak economically, but strong in voting power. Out of the corporate desire for privileges, many of them unwarranted, and out of the popular desire for regulation, also perhaps pushed too far, the boss is equally able to make a profit. As a minor consequence of the last-named condition many of America's most efficient men of affairs find their personal interests bound up with those of the machine and are therefore hostile to good government movements.

In a vivid paragraph Ostrogorski has given a picture of the geographical extent of machine rule, as follows:

If on the map of the United States all the parts of the country where the machine has developed were colored red, the eye would at once be attracted to the right by a large blotch formed by the states of New York and Pennsylvania with a strip of the state of New Jersey on the east, with the state of Maryland on the south, and the state of Ohio on the west, partly at least. This mass casts a faint shadow to the northeast over New England, while on the other side, to the west, the red will appear in more or less deep tints in the state of Illinois, and will stain the neighboring states, marking with scarlet points most of the large cities, such as St. Louis in Missouri and others of less importance, like Louisville in Kentucky or Minneapolis in Minnesota, and other smaller places among the large cities; then, after making a brief pause in the states of the Far West and leaving some patches there, it will flow toward the Pacific slope and deposit a thick layer of carmine on San Francisco; and, finally, jumping right over to the Gulf of Mexico, it will cover New Orleans with a similar layer. A very considerable space will be left hardly colored at all or will even exhibit the shot color to be seen in certain fab-

Geograph-
ical extent
of machine
rule

⁴ F. J. Goodnow, *Politics and Administration* (1900), ch. viii, pointed out the importance of this factor in scientific terms. More colloquially Richard Croker of Tammany Hall answered the question: "Why must there be a boss when we've got a mayor and—a council——"—"That's why," he broke in. "It's because there's a mayor *and* a council, *and* judges *and*—a hundred other men to deal with.—You can't do business with a lot of officials, who check and cross one another and who come and go, there this year, out the next. A business man wants to do business with one man, and one who is always there to remember and carry out the —— business." Quoted from *The Autobiography of Lincoln Steffens*, vol. i, p. 236, with the kind permission of Harcourt, Brace and Company, publishers.

rics: these are regions or cities where the machine has no stable and regular existence; rings of mercenary politicians form in them, disappear after a short time, and re-form under favorable circumstances. A good many points again on the map will appear almost white. It must not be forgotten, however, that the part of the map colored red, while only a fraction of the whole country, contains almost a third of the population of the United States and represents at least three-fifths of its economic interests.⁵

No
national
bosses

Numerous as are the cities and states within which the machine has prevailed, it is a fact of prime importance that to date bossism has not developed within the federal structure. From time to time powerful oligarchic groups have been formed within the Senate. One such group was able to fight President Johnson to a standstill. Subsequently the "Old Guard" under Aldrich, the Penrose group, and other cabals and "blocs" have exercised considerable influence. However, none of these combinations has attained anything like the power and permanence of the typical state or city machine. During McKinley's administration Mark Hanna was frequently referred to as a national boss, but the statement did gross injustice not only to the underlying political facts, but also to the personal relationship of the two men.⁶ Again from 1921 to 1923 the "Ohio gang" was much in evidence at Washington, only to fall ignominiously after Harding's death. In fact, however, the powers and patronage vested in the Presidency of the United States are so enormous that no group of state leaders within his own party could hope to prevail against him by *force majeure*. The Conkling episode under Garfield is a case in point. True a weak executive might succumb to machine influence tactfully exercised, but any President possessing a backbone could fight efforts to control him with some of the most potent weapons in the armory of politics. The overwhelming importance of the President's functions, the blinding glare of publicity constantly beating upon him, the presence in his entourage of national leaders not of the machine variety, all combine to place him above the sinister influence to which governors and mayors have so often fallen victim.

Kinds of
bosses

It is customary to distinguish bosses according to the nature of the territories in which they operate. Thus, according to

⁵ *Democracy and the Party System in the United States*, p. 266, with acknowledgment of the courtesy of The Macmillan Company.

⁶ H. Croly, *Marcus Alonzo Hanna*, especially chap. xvii *et seq.*

Professor Merriam, "there is the rural boss, the urban boss, the state-wide rural or urban, or urban-rural boss."⁷ While usage frequently attaches such a territorial appellation to the title of a boss, the practice may be somewhat misleading. No state boss, it is safe to say, and few city bosses have ever been free from factional disaffection or open revolt in some portion of their bailiwicks. Thus the Vare brothers, long known as the "Dukes of South Philadelphia," ruled unchallenged in that section of the city, but were bitterly opposed by Penrose and independent forces in the western and northern wards. Among practical politicians a more exact definition of the extent of the influence of a boss is sometimes employed, consisting of a list of the party and public offices known to be under his control. Thus at the death of "Ed" Vare, the older and more powerful of the brothers, the following list of public offices and office holders under his control was published without a word of contradiction from those concerned: "a working majority in City Council, four out of six Philadelphia representatives in Congress, five out of eight state senators, thirty-three out of forty-one state assemblymen, a majority of the city magistrates, a majority of the county commissioners, and the offices of the Recorder of Deeds, Receiver of Taxes, City Treasurer, Sealer of Weights and Measures, Coroner, and Register of Wills."⁸ At the present time, however, the control of the machine under the leadership of William H. Vare is virtually absolute in municipality and county.⁹ Of the 71 offices filled by city-wide vote all but ten of a less important character are held by organization men. And these ten, with possibly one exception, are Democrats or City party members of the "bi-partisan" type, *i.e.*, chosen by and thoroughly subservient to the dominant machine. Nor is it likely that they would have been chosen at all were it not for the laws requiring minority party representation on certain courts and commissions.

Bossism, as Professor Merriam's classification brings out, is by no means confined to large urban centers. In Pennsylvania, for example, powerful as are the machines of the two great cities, it is doubtful if they are able to exert so thorough a degree of

Rural
bosses

⁷ *The American Party System*, p. 174.

⁸ *Philadelphia Public Ledger*, Oct. 17, 1922.

⁹ More recently Vare's illness has impaired to some degree his personal control. Meanwhile a desperate under-cover fight is being waged to determine who shall succeed him after his death.

control as the machines established in a number of part rural, part urban, and even in certain predominantly rural counties. Of course comparatively little is heard of such cases; the rural boss, unlike his colleague of the city, does not have to face constantly the searchlight of a hostile metropolitan press. Indeed, he is frequently shrewd enough to become the owner of all the principal country newspapers in his territory.

City bosses

There can be no question, however, that the thoroughness of machine organization, the number of workers employed by it, the possibilities of political intrigue open to it, and the value of the rewards, financial and otherwise, obtainable by it are immensely greater in cities. Urban concentration *per se* can hardly be considered a cause of this high development of bossism, for similar movements of population have gone on at as great a pace in other countries which have remained free from the political machine. Nor can the large foreign element in our cities be held responsible primarily for bossism therein. "No American city has had its affairs more consistently mismanaged, or has been able to develop fewer wholesome municipal traditions, than Philadelphia; yet the foreign-born element in the population of Philadelphia is much weaker than it is in any other cities of the largest class."¹⁰ However, a brief consideration of the various factors stated above as favoring the development of the machine in the United States will show that they have been combined to a maximum degree in great cities.

THE GREATER URBAN MACHINES

Organiza-
tions con-
trolled by
machines

In matters of form there is no essential difference between the party organizations of our large cities which have been subjected to machine domination and party organizations elsewhere which are free from that influence. The former are more detailed and complete, they provide a better basis for control from above and for the discipline of minor committees, and they are much more abundantly supplied with heelers and henchmen. These special features of city organizations are made possible and necessary by the extent and complexity of city government itself, the large number of offices involved, the abundant revenues handled, and the increasing powers of regulation possessed by municipal officials, all of which are subject to corrupt manipula-

¹⁰ W. B. Munro, *The Government of American Cities*, p. 35.

tion. Further, in addition to the temporary campaign clubs common the country over, city organizations have developed a large number of permanent auxiliary clubs with quarters or club houses of their own and with social features which appeal more to the bulk of their members than their political activities.

TAMMANY HALL

Among metropolitan machines, that of Tammany Hall in the Democratic organization of New York City is world renowned.¹¹ The territorial basis of this organization is the state assembly district, of which there are now twenty-three in New York County. Tammany also maintains close relations with the Democratic organizations in two other of the five counties making up New York City, namely the Bronx and Kings (Brooklyn), although following the resignation of Mayor Walker in 1932 the Bronx threw its support to his successor, Mayor McKee. In each assembly district Democratic voters choose delegates at the primaries to a District General Committee, the basis being one delegate to each twenty-five voters. Since the direct-primary law of 1913, election districts or precincts have become the units of representation for election to the district general committee. This committee is the governing authority of the party within the assembly district. Formerly it chose a single executive member or district leader whose powers were often equivalent to those of a local boss. At the present time most of the districts choose two leaders, one man and one woman, other districts choosing from four to six, divided equally between men and women. Among the duties of the district leader is the appointment of a precinct captain for every precinct, of which there are now 3424 in New York County.¹² Each precinct captain has a small corps of workers. He is required to familiarize himself personally with the political affiliations and tendencies

Tammany
Hall

¹¹ Originally an outgrowth of the Society of St. Tammany, or Columbian Order, founded May 12, 1789, and named in honor of a legendary Indian chief. This society was divided into thirteen tribes, the Eagle, Otter, Panther, Beaver, and so on, and was officered by "sachems" (chiefs), a "sagamore" (master of ceremonies), a scribe, and a "wiskinskie" (doorkeeper). The members dressed in Indian garb on ceremonial occasions and their meeting place was known as the "wigwam." For details on the early history and organization of the Tammany Society, see G. Myers, *History of Tammany Hall*, chap. i.

¹² A precinct in New York County is about large enough for one voting machine. In some seventy-five of them two machines are used.

of all the voters in his precinct and is held responsible for the maintenance or increase of the party vote at each election. He appoints watchers, challengers, and other party helpers, reporting frequently on local conditions to his superior, the district leader.

General
Committee
of Tam-
many

Above the district organization is that of the county. Theoretically this is under the control of a General Committee made up of the combined membership of the district committees, a total now of between 14,000 and 15,000 persons. Of course this is far too large for the performance of executive functions. The latter are intrusted to an executive committee of forty-six district leaders, one man and one woman from each district, and this committee is "at once the regular Democratic machine and the political organ of Tammany Hall."¹³

Tam-
many's
unofficial
chieftain

The General Committee of Tammany chooses a chairman, treasurer, secretary, and various committees, but in none of these is supreme party power to be found. Kelly and Croker, former bosses of Tammany, held party offices within the gift of the General Committee, but Charles F. Murphy, head of the machine from 1902 to 1924, and John F. Curry, the present leader, refrained from accepting such positions.¹⁴ After his elevation to leadership in 1924 Curry continued to hold his appointive public office as Commissioner of Records in the Surrogate's Court, also he retained his connection with the insurance business which he had organized years before, but the only party office officially credited to him is that of one of the three leaders of the Fifth Assembly District. The real sources of the enormous power he wields are far more subtle than any which could be conferred by election to a given post either in the city government or the Tammany organization. According to one of Curry's own aphorisms: "You cannot give the leadership of a great party to any man. Leaders are not appointed. They grow." In other words the titular leader becomes boss only because of political experience, knowledge of the machine, rare judgment of the motives of men and ability to manipulate them

¹³ W. B. Munro, *op. cit.*, p. 162. Cf. also the *Rules and Regulations of the Democratic-Republican Organization of the County of New York* (1918), which have remained unchanged to the present (1932).

¹⁴ Professor Joseph McGoldrick's *Political Scrapbook* to be published early in 1933 by the McGraw-Hill Book Co., contains admirable detailed accounts of the methods and motives resulting in the elevation of both Murphy and Curry to the leadership of Tammany Hall.

shrewdly, capacity to estimate the force of faction and of opposing organizations, quick decision in emergencies, success in winning victories, a certain amount of fairness in distributing the spoils. He is boss then not because of any office he holds but because district leaders and aspiring politicians generally go to him of their own motion for advice or orders, which, once given, they follow implicitly. Hence the difficulty of dethroning a boss, incomparably greater than that of removing the ordinary public official from whatever post he holds. Nothing less than a general uprising of Curry's followers can drive him from the intangible yet commanding power he exercises.

Thus Tammany with its thousands of precinct captains and their assistants at the bottom and with its hundreds of committee delegates in each district, converges at the top into an executive committee of forty-six, all acknowledging the leadership of one man.

In addition to the primarily political duties of the district leader stated above, he must also devote himself largely to social and charitable activities. Tammany is probably more successful than any other city machine in work of the latter character. On the side of sociability there are innumerable "fly-by-night" campaign clubs, some of them designed to give real assistance, others to drive as hard bargains as possible for the combined votes of their membership. And there are many permanent political clubs, some of which are named after the district leader, others bearing various regional, national, or fanciful Indian titles—*e.g.*, John F. Curry Association, J. F. Ahearn Association, Terence McKeever Democratic Organization, Downtown Tammany Club, Italian-American Democratic League, French Democratic Club, and the Anawanda, Cherokee, Huron, and Minqua clubs.¹⁵ The Republican organization in New York, which in general follows Tammany lines closely, also possesses a long list of affiliated permanent clubs. Each of these clubs has a house or suite conveniently located, with rooms for smoking and for cards, billiards, and other games. Moderate dues are paid by members, deficits or special needs being generously met by the

Auxiliary
clubs

¹⁵ A thoroughgoing study of some 1200 such organizations in the various boroughs of New York City has been prepared for publication in the near future by Professor R. V. Peel of New York University under the title, *The Political Clubs of New York*; see also the anonymous novel *Ex-Judge* (1930) for a realistic account of the life that goes on in a typical Tammany club.

district leader. In the social atmosphere of these clubs friendships ripen which may prove valuable assets politically. Young men are particularly welcome, and thus many a public career is launched. Summer outings to Coney Island or up the river, with athletic events and refreshments on a Gargantuan scale, are great events in the club calendars. Generous district leaders also hire steamers to give the women and children a day's excursion during the heated term. In winter they provide a big beefsteak dinner in a Bowery restaurant, followed by the donation of a pair of shoes to each guest.

PHILADELPHIA REPUBLICAN ORGANIZATION¹⁶

Republican
organiza-
tion in
Philadel-
phia

In its main outlines and purposes the Republican organization of Philadelphia closely resembles the Democratic organization of New York City. "Our organization," said David H. Lane, sage of practical politics and for a generation leader of the Twentieth Ward, "bears the same relation to Philadelphia that Tammany does to New York."¹⁷ On occasion, however, Tammany men have rejected such comparisons. According to Plunkitt, "the difference between a looter and a practical politician is the difference between the Philadelphia Republican gang and Tammany Hall."¹⁸ Be that as it may, one minor point of contrast between the two machines is noteworthy. Tammany, it will be recalled, uses the assembly district as the unit of representation. Under the "Rules of the Republican Party for the City and County of Philadelphia," now in effect, the unit of representation is the precinct, locally known as the district or division. There are from four to one hundred and ten of these districts in each ward, the number in the city as a whole being 1,566.

Division
com-
mittees

At its base in the district the Philadelphia organization is a pure party democracy, since "every qualified Republican elector shall be a member of the division (or district) committee" and this committee "shall be the representative body of the Republican party in the district (or division)." However such popular power as may exist below is tempered by control from above since the

¹⁶ For much valuable recent data on the Vare machine the writer is indebted to a Swarthmore honors thesis of 1932 by F. L. Reinhold entitled *Philadelphia is Like That: a Study of City Life as Reflected in the Magistrates' Courts*.

¹⁷ P. O. Ray, *op. cit.*, p. 448. Cf. also C. R. Woodruff, "Philadelphia's Republican Tammany," *Outlook*, vol. lxix, pp. 169-172 (Sept. 21, 1901).

¹⁸ W. L. Riordon, *Plunkitt of Tammany Hall*, p. 55.

district committee acts under the direction of the ward executive committee.¹⁰ No matter what may be the outcome of push and pull in this connection, on the second Tuesday of December of each year the qualified Republican voters of each district meet in caucus and organize as a district committee by the choice of a president, secretary, and treasurer. Also each district has a "leader" chosen for a two-year term. The district leaders in each ward elect either one of their own members or someone else in the ward as ward leader. There is a tendency, common in educated circles, to refer somewhat contemptuously to district leaders as the "small fry" of politics. While frankly lieutenants or henchmen, nevertheless their influence locally is enormous, and in the aggregate they are absolutely necessary to the smooth working of the Vare machine.

Above the district organization comes that of the wards, forty-eight in number. In the ward the party authority is the Ward Executive Committee, consisting of the leader and two members from each district, chosen for a term of two years in direct-primary elections by the qualified Republican electors of the districts. This makes a body ranging from 12 to 330 members, according to the size of the ward. Permanent organization of the Ward Executive Committee is effected by the election of the usual executive officers and committees, followed by the choice of "one person who shall be the member of the Central Campaign Committee" of the city as a whole, the "one person" thus referred to officially in the rules being more commonly known as the ward leader. The 48 ward leaders come together and elect a chairman, secretary, and treasurer for the whole group and also for each of the 48 wards. It is precisely at this point, however, that the theoretical democracy of the Philadelphia machine gives way to actual autocracy. As a matter of fact the selection of a ward leader rests in most cases with the boss who, perhaps after taking the advice of two or three ward leaders or, rather, city leaders close to him, sends down the name of an "order man," *i.e.*, one who can be relied upon implicitly to carry out the will of the machine under any and all circumstances. Ratification of such selections from above follows promptly at the hands of the members of the ward committee since otherwise they would be dismissed incontinently from the petty munici-

Ward or-
ganization

¹⁰ Rules § v.

pal jobs they hold. Although the term "one person" as used in the rules of the Philadelphia organization is broad enough to include women, so far most choices for ward committees or of the powers above have fallen upon men. At the moment, however, the Central Executive Committee of ten members contains four women. Some women have also held the posts of secretary and treasurer in the wards. In general the ward leader exercises political powers and influence of great local importance, similar to those of the district leader in New York City. There are also a number of permanent ward clubs in Philadelphia, but they do not play so active a part as those affiliated with Tammany. By a somewhat unusual provision of the rules (§ vi, cl. 2), the ward leader is "subject to recall at any time by a vote of two thirds of the duly elected members of the Ward Executive Committee."

Central
Campaign
Committee

For the city and county as a whole party authority is vested in a Central Campaign Committee of forty-eight members, one from each ward, selected for a term of one year by the separate ward executive committees. In other words, this is simply a grand convocation of the leaders who separately dominate, each in his own bailiwick, and if united could dominate in city and county. One interesting feature of the Philadelphia organization is the fact that nominees for ward, or for city and county offices, are given *ex-officio* membership, however without the right to vote for officers, upon their ward executive committee or upon the Central Campaign Committee respectively.

The Vare
machine

To sum up: the Republican party organization of Philadelphia is a perfect hierarchy, ascending from the 517,488 qualified party voters eligible to membership in the 1,566 district committees to the forty-eight ward committees with their collective membership of 4,698 and from the ward committees to the Central Campaign Committee of forty-eight members. And although he holds no party office whatever nor at present any public office these forty-eight take orders implicitly from William S. Vare as leader.

Man power
of the
machine

A recent estimate from an inside source of the effective "man power" of the Vare machine placed the total at 7,500. In addition it can count upon nearly all the seventy holders of city-wide offices, upon the six thousand holders of elective local (ward and district) offices, and finally for valiant service as auxiliaries

upon twenty-one thousand civil service job holders. Of course the latter are presumed to be protected by law from political influence but most of them were organization men to begin with and there is a general expectation which, if disregarded, is likely to lead to quite unpleasant consequences, that they are to deliver their own votes and the votes of members of their families as the district leader directs.

Besides all the foregoing groups of machine members and auxiliaries to a total of more than forty-four thousand, there must be added many thousands more of "willing workers" who have been or are dependent upon the Vare organization for assistance in getting jobs, for making adjustments in tax payments, for providing bail or securing release from penalties for law violation, for charitable relief in the form of distribution of food, medical assistance, payment of rent, and provision of coal in winter.

Machine
auxiliaries

All things considered, the Philadelphia machine 'falls little short of omnipotence officially; nevertheless according to a local witticism the city of "squab and scrapple" is also the city of "scrap and squabble," the latter descending at times to the political use of imported gunmen and assassination, as in the famous Fifth Ward case of 1917. From time to time also the peace of the City of Brotherly Love is disturbed by factional chieftains who revolt against the overlordship of Vare. Thus Congressman Golder refused to be chloroformed politically in 1932, making warfare so strenuously against his machine-selected rival that the latter, although nominated, was driven to suicide. Mass movements also occasionally force the Vare organization to grudging acquiescence. For example in the national campaign of 1928 the overwhelming majority of machine voters in Philadelphia, being thoroughly wet, announced their intention to vote for Smith, regardless of whatever orders might come from above regarding presidential candidates. Faced by this situation most of the local leaders, while carefully preserving their personal regularity as Republicans, nevertheless said to their henchmen in effect: "Vote for 'Al' if you must, but do not fail to vote straight on all local candidates."

Power of
Vare
machine

Apart from such unusual incidents the minority party is calmly disregarded in Philadelphia for the good and sufficient reason that the number of registered Republicans exceeds that

Minority
parties and
groups

of Democrats in the ratio of fifteen to one.²⁰ Moreover many of the latter are bi-partisans who, sometimes secretly and often quite openly, are servile to the dominant machine. Of course Philadelphia has the usual equipment of groups more or less interested in government—the Committee of Seventy, the Pennsylvania Elections Association, the Taxpayers' Association, the Chamber of Commerce, to say nothing of scores of regional clubs. If united in opposition to the machine they might be able to accomplish results but it is difficult to bring them together except after a long train of abuses and usurpations have been perpetrated by gang leaders. With the above exceptions, if they deserve to be counted as such, Philadelphia is ruled by William S. Vare regardless of all that paper constitutions, laws and city charters may say to the contrary.

CHARACTERISTICS OF BOSSES

Efforts to
describe the
typical boss

Naturally a political figure so striking as that of the boss is subject to endless comment, much of it vituperative. Efforts have also been made to trace more soberly the career and character of the typical boss, distinguishing as species of the genus the city boss and the state boss.²¹ So far as the career of bosses is concerned, it may be taken for granted that, like other political leaders, they must serve their apprenticeship, beginning as lieutenants or even as henchmen, before they can expect after innumerable factional conflicts to dominate a district or a city. Study of the characteristics of the better-known figures in this field reveals so many divergences, however, that to talk of a type is apt to prove somewhat misleading. Consider, for example, such names as the following: among state bosses Platt and Barnes of New York; the two Camerons, Quay, and Penrose of Pennsylvania; General Sewall and "Jim" Smith of New Jersey; General Brayton of Rhode Island; and among city leaders Tweed, "Honest John" Kelly, Croker, Murphy, Olvany and Curry of Tammany; Lomasney of Boston; Fred Lundin, Roger Sulli-

²⁰ According to *The Bulletin 1932 Almanac*, p. 78, the number of registered voters in Philadelphia for the preceding year was as follows: Republicans, 517,488; Democrats, 33,886; Socialists, 698; Prohibitionists, 41; Communists, 30; others, 3,808; total, 555,951.

²¹ M. Ostrogorski, *Democracy and the Organization of Political Parties*, vol. ii, pp. 401-412; also in briefer form in his *Democracy and the Party System*, pp. 250-255.

van, John Powers, "Bathhouse John" Coughlin and "Hinky-Dink" Kenna of Chicago; McManes, "Iz" Durham, McNichol and the Vare brothers of Philadelphia; Flinn and "Chris" Magee of Pittsburgh; "Colonel Ed" Butler of St. Louis; "Doc" Ames of Minneapolis; George B. Cox and "Rud" Hynicka of Cincinnati; "Abe" Ruef and Schmitz of San Francisco; and "Fingy" Connors of Buffalo.

In the foregoing brief list there are six college graduates, two of them honor men of their classes. At the other end of the scale Tweed was "a chairmaker by trade, a vulgar good fellow by nature, a politician by circumstances, a boss by evolution and a grafter by choice."²² As a young man Boies Penrose, scion of a wealthy and distinguished family of Philadelphia, allied himself with the "highbrows" and reformers. He was joint author of a scholarly treatise on the development of the government of his native city which was published by one of the greater universities of the country.²³ While little of the attitude of the "scholar in politics" was maintained by the mature Penrose, he was nevertheless able throughout his whole career to make effective appeal to men of this type as against the Vares. According to one of his *obiter dicta*, he was a "statesman," the Vares were "ash carts." "Ed" Vare, the greatest local opponent of Penrose, was of equally pure American stock, but born to poverty and hard work, his education such only as the local schools could give, his first employment that of hawking vegetables from door to door, and incidentally making many valuable acquaintances in the process. James McManes, who during the 'seventies of the last century ruled Philadelphia with the aid of the Gas Ring, was fond of theological disputation in private life; unscrupulous politically he nevertheless paid back out of his own pocket the depositors who lost money in one of his banks which had failed. James Smith, Jr., of New Jersey, was a manufacturer on a large scale, president of a trust company, and served one term in the United States Senate. Cox of Cincinnati was in turn a newsboy and bootblack, a butcher's boy, a wagon driver, a tobacco sales-

Individual
differences
among
bosses

²² S. P. Orth, *op. cit.*, p. 70.

²³ E. P. Allinson and B. Penrose, "The City Government of Philadelphia," *Johns Hopkins University Studies in Historical and Political Science*, 72 pp., Fifth Series, vols. i-ii, 1887. Following an account of the development of municipal government in Philadelphia from 1681 to 1887, the authors present a sympathetic analysis of the Bullitt reform charter of the latter year.

man, a bar-tender, a saloon-keeper, and after his rise to power a large operator in real estate, banking and theatrical enterprises. According to a typical newspaper sketch written at the time of his indictment for perjury he had "the protruding paunch, the protruding jaw, and the inevitable protruding cigar of the boss," but these are mere cartoonists' properties rather than universals of flesh and blood bosses. In spite of his boorish manners and appearance Cox possessed great shrewdness, genuine courage, and a real love for children. In San Francisco "Abe" Ruef was a university graduate and an able lawyer; his closest associate, Schmitz, was a musician and labor leader. In family and cultural background General Brayton, who served with credit in the Civil War, may be compared with Penrose. Like "Ed" Vare, Flinn was a boss contractor. "Doc" Ames was a skillful surgeon. "Colonel Ed" Butler was a horseshoer. Croker, a machinist by trade, fought a number of formal prize fights as a young man and later was tried for shooting and killing a man in an election row.²⁴ The jury failed to agree. Myers states it as the opinion of those in a position to know that Croker did not fire the fatal shot. John F. Curry, reigning boss of Tammany, was born in Ireland and brought to the United States as an infant. In boyhood he drove cattle in his father's livestock yards, later he learned telegraphy, and now, as head of an insurance organization, is reputed to be an excellent business executive. Curry is a devout churchman; in manner he is quiet, soft-spoken, unassuming.

Certain
common
traits of
bosses

Amid such diversity of origin and character it is apparent that a great deal of intensive study must be done before sound generalizations can be reached. Nevertheless, a few tentative conclusions may be risked. Certainly "bosses are not recruited from any class, creed, or race."²⁵ Still, there is a decided preponderance of Irish names in any list of men who have attained prominence in this field, particularly as heads of city machines, although this would perhaps not be so marked if the less well advertised rural bosses who are usually of straight American stock were included. Like other political leaders, bosses reflect their immediate environment. From the point of view of a high-class residential section the boss of a despised slum ward seems a very vulgar and depraved person. To his neighbors and constituents, on the

²⁴ G. Myers, *op. cit.*, p. 268.

²⁵ C. E. Merriam, *op. cit.*, p. 165.

other hand, he seems the sum of all they deem successful in life—powerful, rich, generous, and hence altogether worthy the clanlike loyalty they feel for him.²⁶

One virtue almost universally ascribed to bosses is that they “keep their word.” This need not imply the slightest innate respect on their part for truth and honor. What it does mean is that promises regarding patronage and deals must be kept, otherwise a political career in any environment, even the worst, is soon rendered impossible. Being thus obliged to keep faith, the boss is, as a rule, extremely cautious about pledging himself definitely in advance. Bosses are excellent judges of human nature, especially in discerning the hidden desires of men, which they know how to play upon to their own advantage. They must also understand popular psychology and be able to compose with diplomatic skill the innumerable clashes—racial, class, religious, and economic—of their multifarious following. If diplomacy fails, as often it must, they are resourceful, unscrupulous, and determined in factional warfare. “I shall win,” said one of Quay’s men, fighting for party control in the Philadelphia Republican machine, “because I am ready to risk the penitentiary to win; the other man isn’t.” He won.²⁷ Defeat, when it comes, a boss takes as the end of a round, not of a battle. In spite of temporary setbacks, he has an invulnerable confidence in the system he represents. Finally the boss of any considerable area must be a past master of organization on a large scale and must devote unlimited time and thought to the repair and lubrication of his machine. Of all recent state bosses Penrose was the only one equipped by training and inclination for real statesmanship, yet he “was swamped in the machinery he won the privilege of directing and ruling.” . . . “There are about five thousand election divisions in this state,” he said. “They hold from twenty thousand to twenty-five thousand Republican workers who carry the division and bring out the vote. I must know all these men. They must know me. . . . I must know what they are, what they want, and how and when. My hand must always be on the job. I can never take it off. All my time goes to the task, and must. If I take my hand off, I am gone. . . . As for great measures

Qualities
of bosses

²⁶ Cf. J. Addams, *Democracy and Social Ethics*, chap. vii.

²⁷ From T. Williams, “After Penrose, What?” *Century*, vol. cv, pp. 49-55 (Nov., 1922). This is one of the most frank and incisive, and at the same time sympathetic, studies that has been made of an American boss.

and great issues, no Senator of a state of this size, run as it is, has the time to take them up."²⁸

Bosses deficient in statesmanship and partisanship

Engrossed in activities of the above character, few bosses have shown any real conception of the broader issues of statesmanship. Thus during the famous free-silver campaign of 1896, Croker naïvely expressed his contempt for the sixteen-to-one controversy and suggested that the coinage ratio be adjusted from day to day in accordance with the changing market ratio of gold and silver! Precisely in the same way that most bosses are deficient in knowledge of statecraft, they are—remarkable as it may seem—deficient also in party spirit. To them there is "no politics in politics"—it is all a matter of business, of one deal after another. City machines have repeatedly sacrificed the national or state candidates of their party by trading votes to the advantage of their own local slate.²⁹ Thus following the national election of 1884, Tammany was generally charged with treachery to Grover Cleveland owing to his openly expressed independence of the boss and his machine. During the campaign "Honest John" Kelly, who then ruled Tammany, predicted the defeat of the Democratic candidate for the Presidency and was deeply chagrined at his victory. Four years later Hill, the Democratic candidate for governor, carried the state, while Cleveland lost it, and consequently the election, by the narrow margin of 13,000. Again charges were freely made that Democrats had traded votes for Harrison with Republicans who voted for Hill.³⁰

²⁸ *Ibid.*

²⁹ "Party efficiency," according to no less an authority than Boies Penrose, "increases in the exact ratio in which it disentangles itself from municipal affairs. Party principles are not even a secondary consideration with the Democratic Tammany machine in New York or the Republican contractors' machine in Philadelphia. Each of them exists to promote selfish interests and each of them is a liability to the party with which it is aligned." Cf. W. Hard, "The Last of the Good Bandits," *Hearst's International*, vol. xli, p. 14 (April, 1922). True, Penrose was at war with the Vares when he said this, but that does not detract in the least from the validity of his statement, which, by the way, he might have extended to certain state machines, his own included.

³⁰ It is only fair to state that Tammany supported Cleveland in 1888 at the Democratic national convention and that the city of New York gave him a plurality of 55,831 in the election of that year. In 1906 Cleveland himself said that he had "no idea or impression that the presidential ticket was the victim of treachery in New York in the election of 1888." Cf. J. F. Rhodes, *History of the United States from Hayes to McKinley*, p. 326; and on Tammany's conduct during the elections of 1884 and 1888, G. Myers, *History of Tammany Hall*, pp. 262, 265, and 270.

As a rule state machines are somewhat more cautious in matters of party regularity than local machines. An overwhelming amount of evidence might be produced, however, to show that the boss of one party is usually willing to make a deal with the boss of the opposing party. The thing need not be wondered at: regardless of the party label, be it Democratic or Republican, the ends of machine politicians are the same.

When deals of this sort become a matter of course the result is a bipartisan machine. To cite the most famous illustration, in 1914 Roosevelt charged that Barnes, the Republican leader of the state of New York, was in a bipartisan alliance with the Democratic state organization in the interest of crooked politics and crooked business. Barnes responded by bringing suit for libel, the trial of which lasted from April 19 to May 22, 1915, and proved one of the most sensational in American political history. In his own defense Roosevelt not only refuted in a masterly manner the charges made against himself, but also presented such damaging evidence supporting his original accusation that the jury found in his favor.³¹

Bipartisan
machines

Deplorable as are the results of a bipartisan machine in a state like New York where the two parties are of substantially equal strength, they are even worse in states where one party is greatly in the majority. In such cases the bosses of the stronger organization make every effort to gain control of their weaker rival. They are greatly aided in this by bipartisan elective offices which by law must be divided between the two principal parties. Thus in the case of a commission of three members, not more than two of whom may be of one political party, it is often an easy task for the boss of the dominant machine not only to pick the two incumbents of his own political faith, but also to throw enough of his voting strength to the allied boss of the minority party to secure the election of a pliable tool by the latter. It is beyond question that manipulation of this sort has done much to sap the strength and ruin the integrity of minority parties in a number of states. Deals parceling out offices have been notoriously frequent as between Republican machine lead-

Effect of
bipartisan-
ship on
minority
party

³¹ The best brief account of this trial is presented by J. B. Bishop, *Theodore Roosevelt and His Time*, vol. ii, pp. 365-369. Cf. also H. F. Pringle, *Theodore Roosevelt*, p. 576.

ers and bipartisan Democratic politicians in many parts of Pennsylvania, for example, with the result that the latter party has lost greatly in strength and standing. It took the most determined and long-continued fighting on the part of the so-called reorganized faction of the Democratic party to make headway against the practice.

Individual
traits of
bosses

Apart from the few general traits and practices of bosses sketched above, the widest possible individual differences exist. Like Tweed, some of them delight in a naïve show of power, virtually holding court in the presence of their feudatories and sycophants. Others unobtrusively deny all exceptional influence, ascribing responsibility and credit to office holders or to the organization. "Ed" Vare made it a point to admit to a personal interview all who wished to see him; McNichol regarded this as a foolish waste of time and was dexterous at evasion. "Chris" Magee was a "good mixer"; Cox was short-spoken and gruff. It is true that some politicians of this type "do not indulge in cant,"³² but others approach it closely in their assertions that they have the cause of the poor and oppressed, or of the party, nearest their hearts.

Unpopu-
larity of
bosses

Among their own following, of course, bosses enjoy popularity of a sort, but as a general rule they have been conspicuously unsuccessful as candidates for popular elective office. On such occasions the dislike of the great mass for the masters of the machine is apt to prove overwhelming. Doubtless it is for this reason that the latter so seldom appear as candidates for offices within the gift of the people. In the old days before the Seventeenth Amendment state bosses aspired to and frequently attained at the hands of the legislature the post of United States Senator. Last of the great state bosses, Penrose survived the change, being elected twice by the people after having been elected three times by the legislature. "Give me the people every time," he said in a braggart mood to a reform friend. "Look at me! No legislature would ever have dared to elect me to the Senate, not even at Harrisburg; but the people, the dear people, elected me by a bigger majority than my opponent's total vote—by over half a million—and you and your reform friends thought

³² H. J. Ford, "Municipal Corruption," *Pol. Sci. Quar.*, vol. xix, pp. 673-686 (Dec., 1904).

direct election by the people would turn men like me out of the Senate. Give me the people every time.”³³

In exceptional cases the powers of a boss have been passed at his death or resignation with as little disturbance as might be expected under a well-established monarchy at the death or abdication of a king. Pennsylvanians speak habitually of the “Cameron-Quay-Penrose dynasty,” composed of Simon Cameron, 1867-77; his son, Don Cameron, 1877-87; Quay, 1887-1904; and Penrose, 1904-22.³⁴ Since the death of the latter no leader strong enough to master the machine has arisen, Vare’s efforts to do so and achieve the Senatorship failing in 1930. A brief interregnum followed the collapse and dispersion of the Tweed Ring, but subsequently the comparative smoothness with which power was transferred from Kelly (1874-86) to Croker (1886-1902), from Murphy (1902-24) to Olvaney (1924-29), and from the latter to Curry would seem to justify the use of the same monarchic term in connection with the leadership of Tammany. Even if they do not succeed in naming a successor it is not at all uncommon for bosses to retain their power, of course with the ups and downs incident to the calling, until the time of their death or voluntary retirement. Others less fortunate or less cautious, perhaps, have been forced to abdicate, even driven into exile, as was “Doc” Ames, or sent to prison, as were Tweed and “Abe” Ruef. An intensive study of the causes of the defeat and downfall of bosses should furnish many results of practical value.

Transmis-
sion of
powers of
the boss

BOSSISM AS A MONEY-MAKING PURSUIT

Consideration of the careers of American bosses shows that almost without exception they sought persistently to make money through the exercise of their political influence.³⁵ “I am working

Economic
motive
predominant
with
bosses

³³ T. Williams, *op. cit.*, p. 51.

³⁴ A. K. McClure, *Old Time Notes of Pennsylvania*, vol. i, p. 464; vol. ii, p. 482.

³⁵ To be a political boss in the usually accepted meaning of the term implies the ability to make money out of political manipulation. For this reason Addicks, who tried to buy up a following in Delaware in order to secure his election to the United States Senate, is scarcely to be classed as a boss. He made his money as speculator, promoter, and organizer of gas companies before his descent upon Delaware. A “political highwayman” himself, he seems to have been relentlessly robbed by local politicians and his career ended in bankruptcy and failure to reach the Senate. Cf. G. Kennan, “Holding Up a State, The True Story of

for my pocket all the time," Croker coolly informed the Mazet Committee, and McNichol had the effrontery to announce at a public meeting in Philadelphia: "I am here for the same reason as the rest of you boys; we are all of us out for the coin." No doubt bosses are impelled also by the love of power for its own sake, but they must have money in large amounts to support their power. Since the economic motive proves thus to be a dominant factor, some statement of the sources of income open to bosses and also of the expenses they must meet, is essential to the case.

Centraliza-
tion of
receipts
under
bossism

Of course the number and amount of the items on both sides of the ledger vary with the degree to which the boss has established his control and also with the wealth of the territory in which he operates. It should not be assumed that the total yield from the various sources detailed below is garnered into the treasure chest of the boss without deductions *en route*. Even before a machine has been set up various diffuse forms of corrupt dealing are apt to flourish. Under a high degree of bossism it may happen that certain cliques of politicians continue to practice petty graft on their own account. On the other hand, it is thoroughly characteristic of machine rule to centralize in as few hands as possible the revenues from all forms of political manipulation.

Campaign
funds

In the first place, every machine and boss may be depended upon to take full charge of all campaign funds. They are under no illusions whatever about the power of the purse in politics, and upon occasion are sufficiently outspoken on this subject. Much of the money thus secured must be passed down to district leaders and precinct captains, particularly when the result of the election is dubious. Indeed, if the situation becomes desperate and funds are not forthcoming freely enough, the boss may be obliged to dig deep into his own pocket and even to borrow large sums of money to save the day. On occasions when the opposition is weak, however, bosses have been accused times without number of feathering their own nests out of funds contributed to bring about a party victory. Since 1890 misappropriations of this sort have been made more difficult by corrupt practices acts but it would be going entirely too far to say that

Addicks and Delaware," *Outlook*, vol. lxxiii, pp. 277-283, 386-392, 429-436 (Feb. 7, 14, 21, 1903).

they have been rendered impossible by the legislation now on the statute books.

Every boss of any importance must work unceasingly to secure as large a number as possible of thoroughly loyal, efficient, and not too scrupulous organization workers. If these workers had to be paid in hard cash out of his own resources or out of party funds political and financial bankruptcy of the machine would promptly follow. In fact, they are paid by securing jobs for them in public offices or elsewhere. Hence the relentless opposition of the machine to every extension of civil-service reform; hence the unrelenting perseverance of the boss in running down every scrap of patronage, however small, for his henchmen. Of course this does not bring in money directly to the boss, indeed at times it may cost him something and it certainly keeps him extremely busy at all times. But unless he succeeds in placing his active followers in jobs he soon loses control of the machine, and in consequence the possibility of making large sums of money through that control. In effect what the boss secures, therefore, are services which may be more valuable than money itself. These services, be it noted, are obtained at the cost of the government and ultimately of the taxpayer.

Working
force of
the boss

Like other men, the henchmen of the boss for whom he has procured public jobs cannot serve two masters successfully. If any question of loyalty or the division of their time comes up, they may be depended upon to hold to the boss, since usually he could have them dismissed as readily as he had them appointed. In Philadelphia, for example, "each ward leader with few exceptions . . . was given an appointive position, so that at any time at which he might prove recalcitrant he can be brought to terms by threatening removal. Councilmen were controlled by receiving clerkships in the administrative departments or by having their near relatives, sons, daughters, or others dependent upon them for livelihood, given appointive places. In this way or through subsidies to interests in which the ward leaders or councilmen were interested, the machine could depend at any moment upon the unquestioning fealty of its retainers. It did not have to discuss ways and means with them or secure their views. It knew that by the very simple process of threatening to cut off their bread and butter it could bring them to support the

Discipline
of work-
ers

most iniquitous or arbitrary measures."³⁶ With such powers of coercion in the hands of a machine it is not to be wondered at that on primary and election days the offices at many city halls are well-nigh deserted, most of the employees being busily engaged on political work in their respective wards. Public employees who are especially gifted as party workers, so that the boss needs them all the time, may be carried on padded pay rolls, although by far the more common practice is to allow them to divide their time between their offices and their wards. Thus the government secures only fifty, or it may be only twenty-five, per cent efficiency on its salary expenditures, while the boss obtains such service as he may require almost wholly at the expense of the public treasury.

"Unofficial
patronage"

In this field, also, reform in the guise of the merit system has limited to some extent the opportunities of the machine. Consequently, bosses now turn with considerable success to street-railway, gas, electric companies and other public service corporations for which they have done favors and from which they may ask in return jobs for their henchmen. Public contractors and firms which sell supplies to the city or state are besieged in the same way. From the point of view of the boss, however, this "unofficial patronage," as Professor Munro calls it,³⁷ is not so satisfactory as the official patronage provided by public offices. Corporations submit to the demands made upon them for jobs with ill grace and only when they fear possible reprisals from the boss. As a rule they prefer to pay cash for political favors, thus reserving to themselves freedom of choice and control in their personnel departments. When an appointment is procured for a heeler in a public office the boss usually controls the official superior of the heeler. If so, it makes comparatively little difference, except to the public service, however inefficient the heeler may be. But private corporations are more exacting. If one of their employees, put in at the request of the boss, does not perform his duties properly, he is likely soon to be on the hands of the boss again as an applicant for another job.

"Political
assess-
ments"

In one way the boss is able to obtain money as well as political service from those whom he has had appointed to public jobs.

³⁶ C. R. Woodruff, "Philadelphia's Revolution," *Yale Review*, vol. xv, pp. 8-23 (May, 1906).

³⁷ W. B. Munro, *The Government of American Cities*, p. 173.

He may establish a system of political assessments, thus collecting a certain regular percentage, or "shake-down" as it is called, from the salaries of jobholders. Ostensibly these assessments are made to be used as campaign funds, but as in the case of the latter, charges are not wanting that they have been converted at times to the private uses of the boss. (For details regarding political assessments see ch. xiii below.)

MACHINE CONTROL OF THE LEGISLATURE

Whether or not the control of the machine extends to legislative bodies, appropriations are constantly being made with an eye to the political support which may thereby be secured. In this connection the congressional "pork barrel" is perhaps best known,³⁸ the beneficiaries being individual Congressmen and the districts they represent. State legislatures and city councils also have their pork barrels, but if machine control has been set up in these bodies the distribution of appropriations will be centralized in the hands of the bosses. In its more innocent form this need involve nothing worse than extravagance. As a matter of fact it closely resembles in motivation the search for public offices. Give a man an office and you may count upon his political services. Give a congressional district or a ward a public building and it should be worth a certain number of workers and votes in your next campaign. When "pork" is distributed by a machine it naturally looks after the districts in which it is strong or in which it hopes to gain support. As a result improvements which are not needed may be made in such districts or, even if needed, may be so placed as to be difficult of access. In both cases local landlords, purveyors, and laborers reap profits and employment, and, unless "ingrates," are usually not unwilling to return thanks and service to the machine as the author of these good things. In Philadelphia, for example, the Vares are acutely conscious of the value of public improvements for the wards they dominate. "Give the people something they can see," was one of their slogans, and South Philadelphia could always count upon their most strenuous efforts in the matter of street lights, public squares, parks, boulevards, and public buildings. It is needless to say that similar interest is not manifested by machines in public

Control of
legislative
appropriations

³⁸ Cf. S. P. Orth and R. E. Cushman, *American National Government*, p. 671.

services which may be highly useful, but which cannot be "seen" and which, therefore, do not bring in votes—for example, sanitary inspection, accounting and budget reform, civil-service reform, the employment of experts, and the like. Indeed, the latter are anathema to bosses, since they make machine rule difficult by suggesting honest and efficient methods, or unpopular by exposures of negligence, extravagance, and graft. A Tammany mayor of New York elected following an era of reform gave characteristic utterance to this feeling in the remark that as soon as he took office all the trains leaving the city would be filled with municipal experts seeking jobs elsewhere.

Contracts

In the form described above "pork barrel" appropriations result merely in extravagance. The situation becomes tainted with corruption as well as extravagance when the machine itself participates in contracts. This may be done by throwing contracts to favored firms, exacting secret rebates from the latter. Specifications may be so drawn that only those firms which are willing to divide profits are able to bid. If contracts fall into the hands of companies which prove intractable they may be so harassed by refusal of permits and rejections of work that they come to terms. In a few cases, such as that of the contractor combine of Philadelphia, the bosses themselves go openly into the contracting business on a large scale.³⁹ This is certain to provoke bitter opposition but it has the advantage of providing safe jobs for an army of political workers and of yielding large profits, especially when the inspection of work is intrusted to city officials who are themselves under the control of the machine. Of course the prospect is not so roseate when the boss loses his grip on the government, but even then contracts may be secured from corporations or individuals needing future political favors or, if worse comes to the worst, from others on a purely competitive basis. It is at such times of adversity that the boss is hardest driven to take care of dependents who have been thrown out of public jobs by an unfeeling reform administration. A large

³⁹ The Philadelphia *Public Ledger* of October 17, 1922, estimated the value of public contracts awarded to Senator Vare up to 1921 at about \$20,000,000. The McNichol machine was also credited with getting its full share of contracts. In 1911 the public outcry against the mixture of contracts and politics in Philadelphia became so threatening that the head of the contractor combine made a "positive and unchangeable" statement that he would sell out his contracting business. But the storm blew over and he did nothing of the sort.

contracting business will, of course, provide places for many of these "martyrs," albeit at some risk to efficiency.

Control of legislative bodies by the machine is valuable in other ways besides giving access to the pork barrel. To legislatures all manner of interests must appeal for special privileges. Some of the latter may be legitimate enough, as current political practice goes, but if the machine is in control it can demand a heavy price before they are granted. Others are doubtful or even sinister in character; in such cases the price exacted is still heavier. In Congress the principal interests seeking special favors have been land-grant companies, railroads, protected manufacturers, whisky, timber, sugar, coal, and oil barons. Bad as have been the resultant scandals, it is nevertheless true that, with the exception of the Grant and Harding administrations, the federal government has maintained higher standards than state or local governments. State legislatures and municipal councils have no such imperial domain to exploit, still they offer glittering opportunities to the corruptionist from time to time. Franchise grants to public-service corporations are the most important items in their gift. In large cities a street-railway or gas franchise may be worth many millions of dollars to its promoters, and the corruption fund to get it passed will be large in proportion. When old franchises are about to terminate the fight to extend them involves enormously large financial interests.⁴⁰ Laws or ordinances permitting increases of fares or rates are also rich in possibilities of corrupt plunder. The most malodorous scandals in American municipal politics have occurred in connection with franchise ordinances. Among other forms of state and municipal legislation which directly touch powerful financial interests and may therefore be depended upon to invite corrupt manipulation are tax laws, building codes, laws affecting insurance companies, banks, railroads, or other corporations, factory and labor laws, including child-labor laws.

If machine control is not in existence the hunt for legislative favors becomes a diffuse affair conducted from the outside by selfish interests acting through swarms of special counsel, legislative agents and lobbyists pure and simple. On the inside of the legislative body many individuals or small groups of members

⁴⁰ Cf. Tom L. Johnson, *My Story*, chs. xiv to xxv inclusive, on the long drawn-out fight in Cleveland.

Special
privileges

Legisla-
tive "jack
pots"

participate in the corrupt process. Results are too uncertain under this system, or rather lack of system, and exposures far too numerous. Neither the famous law of supply and demand nor the higgling of the political market seems to result in fixed prices for crooked votes. Honorable members who feel that they have not received their just share of the bribe money protest too loudly. Here as elsewhere better results may be secured by system and centralization. In Illinois the inquiry into the Lorimer scandal showed that a legislative "jack pot" had existed for a number of years in the state legislature.⁴¹ This was a common fund collected from all the many interests ranging from corporations, manufacturers, and banks to loan sharks and patent-medicine firms, which were involved in securing or defeating legislation. An estimate made at the time indicated that the jack pot contained items ranging from a few thousand dollars to one of \$250,000 contributed to influence the senatorial contest. At the end of the session the total amount in the jack pot was divided among the members who were "reasonable" and who "went along" with the "crowd"—that is, who voted as they were told. Most of them did not know who paid the money or for what particular bills, so that they were in no position to "squeal" effectually even if they had been so inclined.

Absolute
control of
legislative
favors

An even better adaptation of the famous principle of "addition, division, and silence" is secured when the boss is in absolute control of the legislature. During the domination of Platt in New York it was perfectly well understood by all interested in legislation that the necessary condition of its passage was to see the boss. It must not be inferred that he took too narrow or grasping a view of the case. If a bill submitted to him was in the public interest and carried with it no financial gain to anybody, as, *e.g.*, a bill reorganizing the private charitable agencies of a city, he marked it "O. K." and sent it on its way to certain passage in the legislature. For bills not in the public interest or which enabled private concerns to make a profit, a definite price was fixed and collected before enactment. The certainty, secrecy, and centralization of this method, particularly the elimination of numerous lobbyists and others who might learn too much, mark

⁴¹ For an excellent brief account of this famous jack pot, see C. E. Merriam, *op. cit.*, p. 117.

it as immensely superior, from the machine point of view, to the crude methods formerly employed and even to the jack pot.

Machine members soon discovered that for their purposes the legislature could be used as a double-barreled shotgun. On the one hand, business interests, as we have just noted, were considered fair game whenever they asked for special favors; on the other hand, they could be relentlessly hunted afterward under the guise of regulation. The public interest demanded laws providing for just taxation, for the fixing of rates, fares, and quality of service, and for safety and sanitation. Beyond doubt demand for such legislation was greatly increased by the popular conviction that corporate interests had received through collusion with the machine special privileges to which they were not entitled. Being partly in the nature of reprisals, some of the proposed regulatory measures were too drastic. This rendered them more threatening to the business interests concerned, a fact which materially increased their utility to corruptionists in the legislature. Often measures of a thoroughly justifiable character involved the placing of heavy and unwonted burdens upon business concerns. However mistakenly, the latter usually preferred to pay large sums to have these measures killed in the legislature rather than to adapt themselves to higher standards of public morality. When there was no popular demand for regulation it was, of course, an easy matter for corrupt groups in the legislature or municipal council to concoct measures of this type, some of them outrageously unfair or even confiscatory to the propertied interests concerned. In the semi-criminal argot of the times these bills were dubbed "strikes," "bell-ringers," "fetchers," "old friends," "sand-baggers," and the like.

"Strike"
bills

MACHINE CONTROL OF ADMINISTRATIVE AGENCIES

Profitable as is machine control of legislative bodies, it cannot be compared with the possibilities of machine control of administrative agencies. In the case of the former, years may intervene between flush jack pots or lucrative franchise grabs. But a boss in command of certain departments of state or local administration can interfere with important business interests every day in the year and every hour in the day. The process is materially aided by certain long-standing political traditions. One of these is the length and detailed character of our legis-

Machine
control of
adminis-
trative
agencies

lation, another our opposition to strong administration. As to the former it is often possible to find amid the mass of loosely drafted statutory detail some single provision—perhaps inserted for this express purpose—which, interpreted and enforced rigidly, would annoy intensely certain business interests. Rather than comply, some pay the price of immunity demanded by the machine; others, who will not provide “hush money,” are harassed in countless ways. Then there are legislative enactments inspired by high ideals but which take little account of actual conditions. Thus at the time of the Iroquois Theater fire with its appalling death roll, the Chicago ordinance made to prevent just such eventualities was of the most elaborate character, so elaborate, indeed, that it had been neglected by managers and unenforced by inspectors. “Legislative four-flushing,” as Mayor Harrison aptly called this practice, is the mother of the “administrative lie.” Provisions in the law which impose ideal but impossible requirements simply play into the hands of the machine.

Aided by
weak ad-
ministra-
tion

At this point our predilection for weak administration comes to the aid of the boss. Nobody loves an inspector and few favor increased appropriations to enable him to do his work thoroughly. When machine control is established, industrious and efficient inspectors are compelled to take orders or else are driven out of the service. The machine can always plead that its failure to enforce laws and ordinances—even when a bribe has been taken to secure that result—is really due to the fact that the force of inspectors at hand is too small. Rigid enforcement against those who do not pay for “protection” is pointed to with pride as evidence of a stern determination to uphold the majesty of the law in spite of the hampering effect of a small and overworked force of inspectors.

Contracts

Through its administrative agencies—federal, state, and local—government touches business at innumerable points, nearly all of which offer opportunities for corrupt manipulation. The possibilities involved in contracts for public work under machine rule have already been touched upon. Contracts for supplies must be watched at all times as to specifications, prices, quality, and deliveries. Neither the peril of the country nor the well-being of the army prevents such sickening scandals as the embalmed-beef episode of 1898-99. On the contrary, the vast expenditures made necessary by war simply open up new fields to

the profiteer who is never so active as when aided by political influence. Even after treaties of peace have been signed hospitals may provide rich plunder; under the administration by Charles R. Forbes of the Veterans' Bureau it was estimated that over two hundred million dollars went astray in graft and junketing.⁴²

Tax ad-
ministration

The administration of tax laws of various kinds offers another wide field for evasion, fraud, and bribery. In the collection of customs duties on sugar, for example, it was discovered in 1907 that company checkers were able, by pressing concealed springs connected with the scales, to reduce the weight of every load of sugar landed at the docks. During the six years that this practice had been going on one of the greatest American sugar-refining corporations escaped paying duties on seventy-five million pounds of sugar. Those immediately responsible for the fraud were convicted, and the company paid two million dollars to the government in settlement of its claim for past duties. The administration of federal excise taxes must also cope with constant attempts at fraud and evasion, most extensive of which, perhaps, was the Whisky Ring scandal of 1875, as a result of which 250 persons were indicted, including President Grant's private secretary. More recently the enforcement of the Volstead Act has been met by every form of bribery and fraud in which large classes of well-to-do and intelligent citizens, otherwise thoroughly law abiding, have been involved. Devotion to "personal liberty" may serve as a slight extenuation in such cases. On the other hand wealthy violators of the income tax law are obviously motivated by stark cupidity, without a single redeeming circumstance.

Administration of public-land acts has also been tinged with fraud and forgery, the oil, timber and cattle thieves frequently being men of the highest position in their own communities. It was in connection with a case of this sort that a United States Senator, John H. Mitchell of Oregon, was convicted and sentenced in 1905 to six months penal servitude and a fine of \$1,000. The Teapot Dome scandal which broke shortly after the death of President Harding in 1923 cost one Cabinet officer his position and sent another to jail for a year; incidentally part of the corrupt profits realized from the transaction went to cover campaign fund deficits.⁴³ Federal regulation of railways and corpora-

Public-
land
frauds

⁴² For details see F. L. Allen, *Only Yesterday*, p. 149.

⁴³ *Ibid.*, p. 136.

tions also touches interests of enormous financial power and thus offers a maximum temptation for the use of corrupt influence wherever possible.

State regu-
lation of
business;
tax-admin-
istration

State governments have also attempted railroad and corporate regulation within their own sphere of power. In the administration of labor laws and factory acts the state government again touches interests of great financial strength, interests, moreover, which have always been relied upon to supply large campaign contributions. In the Pennsylvania State Republican organization one of the most potent figures for years past has been an equally potent figure in the state manufacturers' association. Wielded by a machine, the administration of state and local tax laws becomes an incomparably efficient means both of reward and punishment. Persons who give aid and comfort to the bosses—"voting right," doing electioneering work, holding party offices, making campaign contributions or the like—may have their property assessed at a small percentage of its value. Persons who perform no party service, have no influence, and are otherwise neutral politically may get off with an assessment fair enough according to the prevailing local standard. But independents, political opponents, and trouble makers for the boss generally are assessed at figures which, if not in excess of real values, are at least grossly overvalued as compared with the average of local practice. More than anything else it is the fear of punishment through unfair tax assessment that keeps large numbers of men of substance quiet under machine rule.

As noted above public service corporations have figured in numerous legislative scandals particularly over "franchise grabs" and rate increases. On the other hand they were often made the target of "strike" bills instigated by crooked legislators and of regulatory measures so radical as to amount to partial confiscation. To meet this situation and especially to see that exact justice was done as between such corporations and the consuming public, administrative bodies known as Public Service Commissions were established in forty-seven states.⁴⁴ In certain cases, the new device secured creditable results, in others corruptionists managed to control the commission as easily as they had for-

⁴⁴ Delaware is the only state without such a commission. Cf. F. G. Crawford, *State Government*, ch. xxiii.

merly controlled the legislature.⁴⁵ For an example of the latter kind, Governor Pinchot found it necessary to bring charges on June 25th, 1932, against the chairman of the Public Service Commission of Pennsylvania, specifying a number of instances in which that official had accepted large favors from representatives of public utility corporations. According to the Governor, the evidence submitted "drags at last into the light a novel system, long suspected [in Pennsylvania], but until now not definitely proved. This system includes the direct bribing of public officials as a method of doing business. Its purpose is extortion and profits. By this system the utilities succeed in charging excessive rates to the people and in securing huge profits for insiders." As an immediate consequence of the charges made by the Governor, the accused official submitted his resignation. Whether the Senate committee which was engaged upon the case will probe further into the ramifications of the alleged corrupt system remains to be seen.

If one could expect the hand of the corruptionist to be stayed anywhere it would be in relation to those unfortunates confined in prisons and asylums or temporarily under state care in hospitals. Yet the very helplessness of inmates in such institutions makes them a favorite target for political abuses. Until recent changes in state administrative practices the contracts for supplies needed by penal and charitable establishments were juggled in exactly the same way as other government contracts, with the result that these institutions were furnished shoddy clothing, thin blankets, and tainted food, all in short weights and measures. Prison labor at fifty cents a day or less was fought for and exploited by favorites of the machine. "Frightful tales of cruelty and neglect have in the past come out of the prison camps maintained by the lessees; shocking conditions were discovered in them; and it is universally agreed that government inspectors were unable to enforce the rather lax standards laid down in the contract."⁴⁶ Fortunately this inhuman system has now been given

Prisons,
hospitals,
asylums

⁴⁵ In *Electrical Utilities, the Crisis in Public Control* (1929), W. E. Mosher and associates of the School of Citizenship and Public Affairs of Syracuse University conclude that "the public has failed to establish adequate and effective controls in its own interest."

⁴⁶ L. N. Robinson, *Should Prisoners Work?* p. 88. For details of a particularly atrocious recent case see I. H. Schwartz, "Welcome to Our Chain Gang," *New Republic*, vol. lxvi, p. 200 (April 8, 1931).

up in large part; it is still legal in three states, however, and sporadic cases occur elsewhere. Occasional prison scandals connected with the traffic in pardons or the sale of "dope" to convicts, both under political influence, are also reported from time to time.

Even
the
dead

Nor do the dead themselves escape paying toll to the machine. Whether or not still "corrupt and contented," Philadelphia has been at least mildly shocked lately over revelations regarding a former chief deputy coroner, more recently the organization nominee for Congress from the Fourth District. In his primary campaign this ill-starred official was openly charged with the embezzlement of the insurance monies and other petty assets left by decedents whose bodies had been taken to the city morgue. Part of his alleged procedure was to give such corpses pauper burial, plain pine boxes serving as coffins, then charging the estates with the cost of a first-class funeral. In spite of the charges brought against him the accused deputy coroner, aided by the powerful Vare machine, won the regular Republican nomination for Congress; however shortly thereafter, just before being brought to trial for embezzlement, he committed suicide. Characteristic were the rather maudlin statements offered in defense of the dead man by certain of his friends, namely that it was unjust to charge him with his alleged misdeeds in the course of a political campaign; that he "always had his hands in his pockets to help someone out"; that he had lived in a simple inexpensive way—the inference being that he had not profited personally to any great extent from his management of the deputy coroner's office; that others "higher up" in the Vare machine had received much the larger part of the profits therefrom; finally, that his suicide was the act of a "martyr" to shield the Organization! Revolting as was this Philadelphia affair it has had counterparts elsewhere. Early in the career of Richard Croker, who also held the office of coroner of New York for a time, there was an even more loathsome case involving violation of the bodies of the dead by one of his henchmen. Yet the future boss of Manhattan afterward cheerfully swore that the pervert guilty of this offence was a man of good moral character.

Marriages
also

If funerals pay tribute, weddings may with even better grace be made to yield revenue to the machine. In New York City, as the Hofstadter Committee discovered, the Tammany district

leader who, as deputy city clerk, performed marriage ceremonies at a salary ranging from \$5,000 to \$8,500 per year was able, between 1925 and 1931, to bank the sum of \$384,788. Most of those who came to his office to be married were persons of small means, thus it was from "gifts" made by the poor of New York that this tremendous toll was taken.⁴⁷

In cities under machine rule various administrative agencies may be made instruments of extortion or punishment, notably the tax department, the department of building inspection, health and medical inspection, and the police department. A mass of minor ordinances, all desirable enough in themselves, enable the machine to reach far and wide. Constant annoyance of one pushcart man, while his competitor does as he pleases without interference; cluttering up of the fire escapes of one tenement, while the house next door must keep its fire escapes absolutely clear; permission to one merchant to use sidewalk space for the display of goods, while others are fined for obstructing the public way—these and many other small but important incidents of urban life are to be explained on the ground of political influence or the lack of it. Outdoor charity is also subjected to raids by spoilsmen. Testimony taken recently by the Hofstadter Committee shows that unemployment relief funds in New York were distributed in such a way as to give preference to enrolled Democrats over enrolled Republicans; "in some cases the recipient was a member of a household in which there were two or three, and in one case four, automobiles."⁴⁸

Machine
control of
city ad-
ministra-
tion

Most sinister of all are the possibilities involved in the control of the police department. It may be used to collect a large and constant tribute from "protected" gamblers, bootleggers, prostitutes, criminals, dealers in habit-forming drugs, quacks, abortionists, unlicensed midwives, baby farmers, and all the other denizens, large and small, of the underworld of vice and crime. In the halcyon days of Boss Croker a "Gambling Commission" was exposed in New York, "composed of a commissioner who is at the head of one of the city departments, two state senators, and the dictator of the pool-room syndicate of

Machine
and the
police
depart-
ment

⁴⁷ *Intermediate Report by Samuel Seabury on the Departments of the Government of the City of New York*, New York, Jan. 25, 1932, p. 127.

⁴⁸ *Intermediate Report on Departments of the Government of the City of New York*, by Samuel Seabury, p. 112 (Jan. 25, 1932).

the city."⁴⁹ It established a regular tariff for various forms of gambling as follows: Pool rooms, \$300 per month; crap games and gambling houses (small), \$150 per month; gambling houses (large), \$1,000 per month; envelope games, \$50 per month. The exposure of the "Commission" was due to the fact that in its itch for larger revenues it licensed too many establishments. To put the result in the words of one member of the sporting fraternity, "there were not enough suckers to go round," and some of the overtaxed gamblers themselves "squealed on the system."

Tribute
from vice

According to the report of the Chicago Vice Commission of 1911, the total profits realized from the social evil in that city amounted to between \$15,000,000 and \$16,000,000 a year.⁵⁰ Of this it was estimated that \$3,000,000 went for "protection." Tribute is levied not only upon prostitutes themselves, but also upon the owners of houses, apartments, saloons, restaurants, and hotels harboring them, and upon purveyors who supply them at exorbitant prices with liquors, tobacco, food, clothing, jewelry, furniture, and even medical advice. One of the gravest consequences of this phase of machine rule is the tendency to prey not only upon prostitutes but also upon thoroughly respectable women who are relentlessly framed and "shaken-down" by stool pigeons and officers of the vice squad. In New York the Seabury investigation disclosed a number of ingenious new rackets devised to this infamous end, among them the "Doctor's Racket" and the "Landlady Racket."⁵¹ Approximately \$100,000 per year was paid by the city to stool pigeons engaged in vice squad work. "The picture of the ring," according to Seabury's summing up, "is complete. The stool pigeon or the officer framed the woman, the officer arrested her, the bondsman bailed her out at an exorbitant charge and usually recommended a lawyer, the lawyer gouged her savings and either himself or through the bondsman 'fixed' the arresting officer and the District Attorney."

⁴⁹ See *Corruption in American Politics and Life*, p. 106, by the author.

⁵⁰ *The Social Evil in Chicago*, p. 113. See also report of *New York Committee of 15* (1902); G. J. Kneeland, *Commercialized Prostitution in New York* (1913). *The Report of the Vice Commission of Philadelphia*, 1913, p. 15, estimates the annual expenditure in that city for prostitution at \$6,250,000. For comment on the attitude of some political leaders, magistrates, and police officers to the social evil, see p. 10 *et seq.*, of the latter report. The most recent study in this field in W. C. Reckless, *Vice in Chicago* (1933).

⁵¹ *Final Report of Samuel Seabury, Referee, on the Magistrates' Courts*, New York, March 28, 1932, p. 82.

Profits were large; one vice squad officer had banked in the past five years about \$31,000 in cash, and his wife "the modest sum of \$57,744.67, of which \$30,016.20 was in cash." The most revolting feature of the whole sordid mess was the severity with which women defendants were treated by a woman magistrate, since removed "for cause."

All the agencies of crime—not only actual criminals, but receivers of stolen goods, dealers in the tools of crime, owners of criminal "hang-outs," professional bondsmen, and crooked criminal lawyers—may be assessed systematically by machine politicians. At times criminals themselves have banded together into a system which negotiates with the powers that be, thus making "their business about as safe from government interference as any other form of business."⁵² Political control of vice and crime has one advantage as compared with political control in the field of legitimate business. The latter can be depended upon to produce abundant revenues, but it furnishes few political workers. From the underworld, however, the machine can procure not only money, but also votes, heelers of the most dependable sort, even delegates to conventions. Burglars, bootleggers and hold-up men whose absence from the penitentiary is due solely to political influence may be relied upon, at a nod from their official protector, to execute the most daring election crimes. On the other hand, an alliance of the machine with criminal and vice elements lacks the heavy respectability of an alliance between the machine and big business. Exposure of alliances of the former character provokes violent outbreaks of public indignation beneath which some of the most powerful city bosses of the country have gone down to defeat.

Machine
alliance
with crime

Under prohibition, whatever may be its advantages in other respects, there has been an enormous expansion of opportunities for crooked manipulation yielding revenues undreamed of by corruptionists in the past. Summarizing its findings on this point the Wickersham Commission says:

Prohibition

"As to corruption it is sufficient to refer to the reported decisions of the courts during the past decade in all parts of the country, which reveal a succession of prosecutions for conspiracies,

⁵² *Report of the Chicago Council Committee on Crime* (1915), quoted by C. E. Merriam, *op. cit.*, p. 153. For a later account of the "Big Fix" in Chicago see his *Chicago, a More Intimate View of Urban Politics* (1929), ch. ii.

sometimes involving the police, prosecuting and administrative organizations of whole communities; to the flagrant corruption disclosed in connection with diversions of industrial alcohol and unlawful production of beer; to the record of federal prohibition administration as to which cases of corruption have been continuous and corruption has appeared in services which in the past had been above suspicion; to the records of state police organizations; to the revelations as to police corruption in every type of municipality, large and small, throughout the decade; to the conditions as to prosecution revealed in surveys of criminal justice in many parts of the land; to the evidence of connection between corrupt local politics and gangs and the organized unlawful liquor traffic, and of systematic collection of tribute from that traffic for corrupt political purposes. There have been other eras of corruption. Indeed, such eras are likely to follow wars. Also there was much corruption in connection with the regulation of the liquor traffic before prohibition. But the present régime of corruption in connection with the liquor traffic is operating in a new and larger field and is more extensive."⁵³

Racketeers

Another new hero of the underworld is the racketeer who is aptly defined as "a regulator of competitive business by means of pressure of an illegal and violent nature."⁵⁴ "Pressure" as used in the foregoing ranges all the way from the antique sawed-off shotgun to such more modern instruments as machine guns, pineapple bombs and acids. According to the Illinois Association of Criminal Justice the destinies of over ninety necessary economic activities in the Chicago district are at present under the sway of racketeering gunmen and gangsters. Among the businesses particularly affected are dry-cleaning, window-washing, laundries, garages, and candy stores;—even the bootblack may be forced to disgorge a part of his hard-earned dimes. Recently Philadelphia beauty shops have been threatened by racketeers whose alleged purpose was to regulate cut-throat competition in that field of æsthetic endeavor but whose real purpose, of course, was extortion, pure and simple. Naturally racketeers rely on "protection" at the hands of police, prosecuting attorneys and the machine; in some instances, however, they have

⁵³ *Report on the Enforcement of the Prohibition Laws in the United States*, House Doc. 722, 71st Congress, 3d Session, Jan. 7, 1931, p. 44.

⁵⁴ C. E. Merriam, *op. cit.*, p. 48. Cf. also G. L. Hostetter and T. Q. Beesley, "It's a Racket!" (1929).

waxed so powerful that there is quite as much of menace as of tribute in their relations to the political authorities of the upper-world.

At the other extreme of the scale from the corrupt handling of the police under machine rule comes the employment of public funds in the form of cash on hand by administrative officials. In the aggregate these funds are extremely large. At the beginning of the year 1913 they amounted to nearly two and a half billion dollars held by the governments of the nation, states, counties, and incorporated places over 2,500. During the war this total was greatly increased. At the end of 1928 the cash in general administrative funds for the city of New York was \$45,937,034; Chicago, \$62,565,019; Philadelphia, \$15,695,725. On the same date the total of such funds for the 250 cities with a population of 30,000 and over amounted to nearly six hundred millions of dollars.⁵⁵ For the forty-eight states it was \$584,448,277.⁵⁶

Public
funds

Incredible as it may seem, the whole interest on these funds in many cities, counties, and states is retained by the treasurers in whose hands they are placed.⁵⁷ Elsewhere the latter are required by law to secure a minimum rate of interest, say from 1½ to 3 per cent, from the banks selected as depositories. However this requirement still leaves treasury officials in a position to pocket the difference between the legal rate and the rate actually paid by the banks. "The spectacular case of Governor Small [of Illinois], while Treasurer, and the final settlement by which he returned the sum of \$600,000 to the State, attracted nationwide attention, but it is only one of a long series of cases which have never come to light."⁵⁸ Even when the public authority has taken measures to secure for itself the full amount of interest consistent with safety, the power to select fiduciary institutions which are to receive large deposits of public money is one which can be manipulated to advantage. "I don't mind losing a governorship or a legislature now and then," Quay is reported to have said, "but I always need the state treasuryship." Also as he expressed it at another time the treasury of Pennsylvania was "the plum

Manipulation
of
public
funds

⁵⁵ *Financial Statistics of Cities Having a Population of over 30,000, 1928*, Table 18, Bureau of the Census, p. 388.

⁵⁶ *Financial Statistics of States, 1928*, Table 16, Bureau of the Census, p. 104.

⁵⁷ C. E. Merriam, *American Party System*, p. 143.

⁵⁸ C. E. Merriam, *Chicago* (1929), p. 31.

tree" which he had to "shake" frequently for the benefit of party associates.

Machine
and high
finance

Incidentally the manipulation of state funds brings machine politicians into close relations with some of the most eminent figures in the world of finance. In the notorious Pittsburgh exposure of 1909, it was proved that six banks paid \$102,500 for the privilege of controlling deposits of public funds. Indictments were issued against ninety-eight aldermen, confessions being obtained from fifty-three of them.⁵⁹ Another device is to let banks have the funds upon condition that they will allow politicians responsible for the favor to draw upon them for large loans to be employed in private business ventures or speculations. Or, finally, the politicians may organize banks of their own, deposit in them the lion's share of the public money, and then advance to themselves as individuals large credits based on the state's deposits. Thus through his machine connections the notorious "Bull" Andrews of Pennsylvania was able to secure the deposit of \$1,030,000 of the state's funds in a small country-town bank with a capital of only \$50,000. The money was used to finance some highly speculative railway construction schemes in New Mexico. It was "political banking" of this sort culminating in the suicide of two or three Pennsylvania bank cashiers which led to the indictment of Quay for misappropriation of state funds in 1898. Although acquitted, his prestige suffered greatly. Nevertheless loose financial practice continued, with the result that a Democrat was elected treasurer and the situation at Harrisburg was cleaned up at least for the time being.⁶⁰

MACHINE AND THE JUDICIARY

Control of
judiciary
not so
complete

In addition to its control over the legislature and administrative agencies, a well-established machine must also seek to gain a measure of control over the judiciary. As a rule, however, such control is not so complete nor is it so openly exercised as in the former two cases. With the great mass of ordinary civil litigation the boss has no motive to interfere. Indeed, considering the likelihood of a popular revolt, it would be extremely hazardous for him to interfere with the orderly processes of

⁵⁹ A. J. Nock, "What a Few Men Did in Pittsburgh," *American Magazine*, vol. lxx, pp. 808-818 (Oct., 1910).

⁶⁰ I. Marcossan, "The Fall of the House of Quay," *World's Work*, vol. xi, pp. 7119-7124 (Jan., 1906).

justice in such matters. There are, however, a number of matters connected with the courts in which the boss is perforce deeply interested. Among these are the nomination and election of judges, the patronage under their control, the handling of cases in police and magistrates' courts, decisions affecting the financial interests with which he is allied, and decisions in political cases, *e.g.*, cases involving primary and election laws, prosecutions for graft, and the like.

Since a powerful machine is certain to be in full control of such matters, the nomination and election of judges is the point at which a boss can get the most effective leverage upon the courts. In communities free from machine rule the influence of the bar association may virtually determine the selection of judges and public opinion may insist upon the retention of those who have proved their independence and fairness. Under boss control, however, judges of the latter type may be "turned down flat" when the time comes for their renomination. In extreme cases nominations to judicial as to other offices may be put up at auction, bids being received in the guise of campaign contributions. Thus in 1899 the Mazet Committee elicited the fact that Tammany had established a tariff requiring candidates for the higher courts to pay from \$10,000 to \$25,000 for nominations. From the nominee to a place on the Supreme Court bench it collected the equivalent of a full year's salary, amounting to \$17,500.⁶¹ Nor has the practice ceased; as recently as 1930 it was charged that \$10,000 had been paid for a mere magisterial position in New York City, the money coming to rest in the bank account of a Tammany leader.⁶² The accused ornament of the bench resigned under fire. Of course rude terms such as "auctioning off" or "buying" offices are deprecated by machine politicians in connection with the process of making judicial nominations, and in fact the process itself is somewhat more subtle than these terms would imply. In the vernacular of a Tammany apologist, "the man is picked out, and somehow he gets to understand what's expected of him, and he ponies up—all from gratitude to the organization that honored him, see. Why not? He has fourteen years on the bench ahead of him, and ten thousand

Nomina-
tion and
election of
judges

⁶¹ J. F. Carr, "Campaign Funds and Campaign Scandals," *Outlook*, vol. lxxx, pp. 549-554 (Nov. 4, 1905).

⁶² *Seabury Report, Magistrates' Courts*, p. 54.

other lawyers would be willin' to put up twice as much to be in his shoes." At present the New York Penal Law (§§ 767, 780 expressly prohibits campaign contributions by judicial candidates except such as are authorized under the Corrupt Practices Act.

Judicial
patronage

As a rule, courts have comparatively little patronage to bestow in the form of permanent appointive offices. From the point of view of the machine, however, no job is so small as to be negligible and under its sway every tipstaff has a certain political task to perform in his home ward in addition to his official duties at the courthouse. In exceptional cases judges have managed to have concentrated in their hands the power of appointment to a large number of permanent positions. This occurred in the case of the president judge of the Municipal Court of Philadelphia, with the result that he speedily became a local political factor of prime importance. Finding the power of the judge's machine threatening their own prerogatives, the Vire interests secured from the Pennsylvania legislature the passage of the Aron bill, designed to reduce the political influence of the new organization to a nullity. Under the terms of this enactment the president judge was stripped of his exclusive powers, and the other judges, eight in number, are henceforth to share with him the task of parceling out the offices.

Temporary
judicial ap-
pointments

While in general the courts have very little patronage in the form of permanent offices at their disposal, certain of the higher judges do make a large number of important temporary appointments. These include the selection of appraisers, of guardians for wealthy orphans, aged or insane persons, of commissioners in condemnation proceedings, of referees in litigation which may involve millions of dollars, of receivers in bankruptcy cases who may be called upon to administer the affairs of great corporations during a considerable period of time. Appointments of this kind are considered highly honorable and sometimes carry with them princely fees. Naturally, therefore, they excite the keenest interest of machine leaders. Every influence the latter can bring to bear upon judges is employed, usually in a most tactful manner, to secure such "plums" for themselves or for dependents and favorites. Since a certain measure of legal ability or of financial standing is required of appointees we have here the explanation of the subservience to the machine shown by many lawyers and business men.

Finally it must be noted that besides appointments, permanent or temporary, courts are burdened with other duties of a purely administrative nature. Thus in some states they designate the newspapers in which legal advertisements appear. In certain cases prior to prohibition they granted saloon licenses. County courts, particularly in western states, are burdened to an unusual degree with administrative tasks, a fact not without relation to the demand in that section for the recall of judges. When such functions are assigned to courts it is inevitable that machine politicians will strive with all their might, albeit more quietly and tactfully, to influence judges, just as they do in the case of administrative officials pure and simple.

Adminis-
trative
duties of
courts

Control of the police department by the machine yields the best results only when it also controls police and magistrates' courts. The latter is essential if immunity is to be obtained for crime and vice interests and for heelers and organization voters in their numerous untoward difficulties with the penal code. Also when opponents of the machine get into trouble subservient magistrates may seize the opportunity to teach them a lesson by imposing the extreme penalties of the law. In many cities little or no effort is made to conceal the use of political influence for such ends. The ward or district leader himself appears in court and is listened to attentively before cases are disposed of by the magistrate on the bench. It is hardly necessary to say that such flagrant intervention is never attempted in courts of higher rank even by the most powerful machine leaders. If they must "reach" superior or supreme court judges the interview takes place in the profoundest secrecy or a confidential emissary is despatched. By such occult methods political influence is brought to bear on graft prosecutions, on the trial of important election offenders, or on large civil suits affecting the interests of the boss or his financial allies.

Police and
magis-
trates'
courts

Machine politicians are wont to discriminate between "honest graft" and "dishonest graft." As an example of the former a very practical authority who "seen his opportunities and took 'em,"⁶⁸ may be quoted as follows:

"Honest"
and "dis-
honest"
graft

"My party's in power in the city, and it's goin' to undertake a lot of public improvements. Well, I'm tipped off, say, that they're

⁶⁸ W. L. Riordon, *Plunkitt of Tammany Hall*, p. 4.

goin' to lay out a new park at a certain place. . . . I go to that place and I buy up all the land I can in the neighborhood. Then the board of this or that makes its plan public, and there is a rush to get my land, which nobody cared particular for before. Ain't it perfectly honest to charge a good price and make a profit on my investment and foresight? Of course, it is. Well, that's honest graft."

Whatever may be thought of the foregoing as an argument in ethics, at least it has certain interesting connotations in economics. Assuming that the original landowners had refused to sell out to the honest grafter they would certainly have demanded a price no less high than his from the city. Excess condemnation and unearned increment taxation, rigidly applied, would meet either case in large part. Fundamentally, however, the distinction between honest and dishonest graft, as the authority quoted later acknowledges, is not a matter either of ethics or of economics but merely of caution. "A big city like New York or Philadelphia," he says, "might be compared to a sort of Garden of Eden, from a political point of view. It's an orchard full of beautiful apple trees. One of them has got a big sign on it, marked: 'Penal Code Tree—Poison.' The other trees have lots of apples on them for all. Yet the fools go to the Penal Code Tree. . . . The other apples are good enough for me, and O Lord! how many of them there are in a big city."

Survey
of cor-
ruption

A survey of the various forms of corruption, legislative, executive and judicial, current under machine rule in American political life cannot but be profoundly disheartening. As between the standards of public probity maintained in the United States and those in other modern democracies there is little of which American citizens may be proud.⁶⁴ In spite of many reforms designed to limit or stop various kinds of corruption it is hard to believe that the evil is being abated either in volume or virulence. On the contrary with the rise of bootlegging and racketeering yielding golden floods of tribute there has been a marked development of organization, an astounding improvement in methods and equipment, and an absolutely callous indifference to bloodshed on the part of denizens of the underworld. Meanwhile between the "Big Fix" of the underworld on the one hand and the upperworld of officialdom on the other, new and stronger con-

⁶⁴ James Bryce, *Modern Democracies*, vol. ii, ch. lxvii.

nections of interest have been established.⁶⁵ Worse still public opinion, particularly as manifested during and immediately following the Harding administration, seemed much more disposed to tolerate corruption than ever before. No doubt the great apparent prosperity of the time with the consequent absorption of large numbers of people in business affairs and speculation had much to do with the low standards of public morality then prevailing.⁶⁶

Since the advent of the depression in 1929 methods introduced to bring about governmental retrenchment have collided at a number of points with the old established schemes of corruptionists. Nevertheless the latter resist stoutly, often sidestepping economies aimed at themselves to the cost of vital branches of public administration. Bowing temporarily before the storm the boss of one metropolitan center is alleged to have permitted a semi-independent to become mayor in 1930 with the idea that the latter will act as sacrificial goat, receiving all criticism due to necessary measures of economy. With the return of prosperity the machine expects to resume its power, whereupon presumably all the faithful will be rewarded—at the public expense.

Depression and the political machine

Decidedly the menace of corruption under machine rule in American politics is not being met adequately. Masses of testimony taken by the Hofstadter Committee prove the continued existence on a large scale in New York City of almost every form of crooked manipulation peculiar to American municipalities in the past, to say nothing of several new varieties of "rackets" unearthed by Samuel Seabury, the indefatigable counsel of the Committee. Witness the following decidedly picaresque titles of section headings taken from his recent report: The Selling of Political Influence by the Leader of Tammany Hall under the Guise of Legal Fees; How Doctor Doyle, who Split his Fees, Banked over a Million Dollars from his Practice before the Board (of Standards and Appeals) in a Few Years; The Connection between Crime, Illicit Business and Politics in the City of New York; Profits of the Police; the Plainclothes Men Mulct the Cheap Speakeasies while the More Prosperous Ones are Re-

New "rackets"

⁶⁵ Cf. Charles E. Merriam, *Chicago, a More Intimate View of Urban Politics*, especially ch. ii.

⁶⁶ For striking commentaries on public indifference to corruption see F. L. Allen, *Only Yesterday*, p. 154; also R. S. and H. M. Lynd, *Middletown*, ch. xxiv.

served for the Higher-Ups; The "System" by which Money is Extorted for Pier Leases; the Awarding of Unemployment Relief Jobs to Political Favorites and other Unworthy Persons, including many without Dependents; Theofel's Control of Campaign Contributions, the Increase of his Wealth during the same Period, his false "Explanation" of the Sources of his Money; Culkin's Misappropriation of Interest on Moneys held by him as Sheriff; and so on, and so on, *ad nauseam, ad infinitum*.⁶⁷

Thunder
on the
Left

One may find dubious solace for such squalid practices in Kipling's airy lines:

"As it was in the beginning
So is now official sinning
And will be, forevermore."

There is, however, a more somber view of the situation, which is held not only by radicals but by some quite conservative observers,⁶⁸ namely that corruption on such a large scale as at present is the natural outgrowth of a decaying political and economic system, a system which is verging upon dissolution. Meanwhile advocates of dictatorship proclaim that only by the complete domination of business over government or of government over business can the problem be solved. Obviously the democracy which does not meet the situation leaves itself wide open to the attack of subversive forces.

ACTUAL RETURNS OF BOSSISM

Exaggera-
tion of
financial
power of
bosses

A survey of the numerous agencies—legislative, executive, and judicial—through which the boss can procure money may well give the impression of almost unlimited financial power.⁶⁹ Nor can there be any doubt that they are productive of rich streams of revenue. It is part of the stock in trade of a successful boss to convince his following that his financial power is invincible.

⁶⁷ *Report by Samuel Seabury on the Departments of the Government of the City of New York*, New York, January 25th, 1932, pp. i to viii.

⁶⁸ W. Lippmann, *A Preface to Politics*, p. 23, suggests that "much of what is called 'corruption' is the odor of a decaying political system done to death by an economic growth."

⁶⁹ C. E. Merriam, *American Party System*, p. 161, gives an interesting catalogue of the resources which might be drawn upon by a local boss in full control of a city of 100,000. Metropolitan bosses levy upon funds proportionately much greater, yet Murphy, who died in 1924 after ruling Tammany twenty-two years, left only \$450,000.

Observing, as many among them do, his apparently casual handling of what to them seem large sums of money, it is not hard to establish the legend that he is a financial as well as a political Napoleon, a legend which, by the way, is commonly accepted by the public at large. As a matter of fact this impression is grossly exaggerated. Not a few bosses extremely powerful in their day have been completely ruined not only in character, but in fortune. Some who were resourceful and cautious enough to survive all assaults made upon them have accumulated considerable estates. But not one of the great American fortunes, as wealth is reckoned in metropolitan centers of finance and industry, has been founded by a boss. Recently Pennsylvania lost two of the most successful machine leaders of this generation—Penrose, who had been almost absolute dictator of the Republican state organization for eighteen years, and “Ed” Vare, who had dominated in the city of Philadelphia for nearly as long a period. For days following the deaths of these men newspapers published estimates of their wealth ranging from \$1,000,000 to \$5,000,000 in the case of Vare and as high as \$20,000,000 in the case of Penrose. Appraisal showed the Vare estate to be worth \$595,191; the Penrose estate, \$744,419. A significant item of the latter was the sum of \$226,100 in notes of from \$100 to \$10,000 in denomination, found in his Washington safety deposit vault. In fairness to Penrose it should be said that the great passion of his life was to exercise power and that he was exceptional among bosses in his disregard for money beyond his personal needs. The modest estate that he left is believed to be due almost wholly to a legacy from his mother and a few fortunate mining ventures. Of earlier Philadelphia political leaders, McNichol, although a reputed millionaire, left only \$225,000: “Iz” Durham, on the other hand, left \$1,054,292.

It is not a difficult matter to explain the discrepancy between popular estimates of the wealth of bosses and the actual size of their estates as disclosed at death. First, bossism is a business which requires the assistance of an innumerable horde of understrappers and confederates, all of whom are as much “on the make” as their chieftain. Cox of Cincinnati was credited with the assertion that “there’s only one divides up here,” but it was an absurd boast. Nothing is more certain than that numerous and large deductions are made from most of the funds flowing

Expenses
bosses
must meet

into or out of the coffers of the boss. "Ed" Vare was credited with having contributed \$100,000 a year toward the financing of his machine in Philadelphia. Second, bossism is an extremely hazardous pursuit. In times of crisis the boss is often forced to pledge everything he possesses and to borrow money from every available source in order to pull through. Defeat in a crucial election may mean not only complete financial loss, but his dethronement and even criminal prosecution into the bargain. Finally few bosses have shown any great capacity in ordinary business lines, the Napoleonic legend to the contrary notwithstanding. Astute as they are in all political affairs, they have often shown themselves typical "lambs" in Wall Street.

Social and
charitable
activities

In the expense account of bosses, particularly those who have "slum" wards to "take care of," a large item must always be charged off to social and charitable activities. Part of the expenses of ward clubs and other auxiliary associations may be recouped in membership dues, but still the leader's pocketbook is heavily drawn upon to pay deficits, defray the expenses of outings, and the like. In 1905, the contributions of Tammany to the relief of the poor were estimated to amount to from fifteen to twenty-five per cent of the total annually expended by New York's combined churches and benevolent societies.⁷⁰

Henchmen
and
heelers

Money is not all that is needed, however. There must go with it a never-ending willingness to render "personal service" to the voters. Many of the favors thus granted are necessary, indeed some are beneficent and highly praiseworthy, others are morally indefensible or frankly illegitimate; regardless of their nature, however, they must be forthcoming day and night at a moment's call. To carry on "social work" of this character in a metropolitan city requires a large force of assistants, who are usually stigmatized by the intelligentsia as "henchmen" and "heelers." In the party hierarchy they rank merely as precinct or division leaders, receiving aid in matters beyond their capacity from the ward or city leaders above them. To the machine the value of the work performed in the aggregate by these "small fry" politicians is immense; it is they who, capitalizing an infinity of favors rendered, control and deliver votes in accordance with orders received from above and quite regardless for the most part of any principles or policies which may be involved in the campaign.

⁷⁰ J. F. Carr, *op. cit.*, p. 550.

It is probable that in concentrating attention upon the spectacular figure of the big boss too little importance has been assigned his lieutenants, sergeants and corporals—the ward, division and precinct leaders—without whose indefatigable assistance he could not survive a single election. One need not go to such extremes as a recent Philadelphia mayor who declared, somewhat lyrically, that “The Little Fellow in Politics is the Biggest Man in His Party.”⁷¹ On the other hand a thorough study made in this hitherto neglected field by a competent student shows that the division leader represents “the most vital aspect of democracy in a great city; he is the smallest cog in the party organization and the most important, the contact man who stands between the voters and the ward leaders, between the citizen and the state.” And the ward leader is “the prototype of his community, the good shepherd in his political domain, who stands between the division leaders and the heads of the city machine just as the division leader stands between him and the voter.”⁷²

No matter what the city, the favors performed by local lieutenants of the machine are much the same in character. A fair idea of the number and variety of the demands made upon a district leader may be gathered from the following record of a day's work by “Plunkitt of Tammany Hall.”⁷³

Plunkitt
of Tam-
many Hall

2 A. M.: Aroused from sleep by the ringing of his door bell; went to the door and found a bartender, who asked him to go to the police station and bail out a saloon keeper who had been arrested for violating the excise law. Furnished bail and returned to bed at three o'clock.

6 A. M.: Awakened by fire engines passing his house. Hastened to the scene of the fire, according to the custom of the Tammany district leaders, to give assistance to the fire sufferers if needed. Met several of his election district captains, who are always under orders to look out for fires, which are considered great vote-getters. Found several tenants who had been burned out, took them to a hotel, supplied them with clothes, fed them, and arranged temporary quarters for them until they could rent and furnish new apartments.

⁷¹ Harry A. Mackey as campaign manager of William S. Vare in the senatorial contest of 1924.

⁷² J. T. Salter, *The People's Choice*, a study of Philadelphia ward and division leaders, made under the auspices of the Social Service Research Council and announced for publication by Harper's in the fall of 1933.

⁷³ W. L. Riordon, *op. cit.*, pp. 170-173, by the courtesy of Doubleday, Doran & Co.

8:30 A. M.: Went to the police court to look after his constituents. Found six "drunks." Secured the discharge of four by a timely word with the judge, and paid the fines of two.

9 A. M.: Appeared in the municipal district court. Directed one of his district captains to act as counsel for a widow against whom dispossess proceedings had been instituted and obtained an extension of time. Paid the rent of a poor family about to be dispossessed and gave them a dollar for food.

11 A. M.: At home again. Found four men waiting for him. One had been discharged by the Metropolitan Railway Company for neglect of duty, and wanted the district leader to fix things. Another wanted a job on the road. The third sought a place on the Subway, and the fourth, a plumber, was looking for work with the Consolidated Gas Company. The district leader spent nearly three hours fixing things for the four men, and succeeded in each case.

3 P. M.: Attended the funeral of an Italian as far as the ferry. Hurried back to make his appearance at the funeral of a Hebrew constituent. Went conspicuously to the front both in the Catholic church and the synagogue, and later attended the Hebrew confirmation ceremonies in the synagogue.

7 P. M.: Went to district headquarters and presided over a meeting of election district captains. Each captain submitted a list of all the voters in his district, reported on their attitude toward Tammany, suggested who might be won over and how they could be won, told who were in need and who were in trouble of any kind, and the best way to reach them. District leader took notes and gave orders.

8 P. M.: Went to a church fair. Took chances on everything, bought ice cream for the young girls and the children. Kissed the little ones, flattered their mothers and took their fathers out for something down at the corner.

9 P. M.: At the clubhouse again. Spent ten dollars on tickets for a church excursion and promised a subscription for a new church bell. Bought tickets for a baseball game to be played by two nines from his district. Listened to the complaints of a dozen push-cart peddlers, who said they were persecuted by the police, and assured them he would go to Police Headquarters in the morning and see about it.

10:30 P. M.: Attended a Hebrew wedding reception and dance. Had previously sent a handsome wedding present to the bride.

12 P. M.: In bed.

Of course charity administered on Plunkitt's lines does not meet with the approval of social workers. On the other hand, the

extent to which it is carried on proves that it is extremely effective in building up a dependable political following. Moreover, political charity avoids the penalties provided by law for the old crude method of direct vote buying. That many of the recipients of relief at the hands of the boss accept it utterly without thought of a political bargain is beyond doubt. They regard it simply as evidence of his generosity—and their votes go with their gratitude. The fact that the help is given personally, without questions or red tape and at the time of greatest need, strengthens this feeling. As friends and neighbors who, perchance, recall the early poverty and struggles of the boss, it is easy for them to believe in his "big Irish heart." Indeed, considering the origin and character of many machine leaders, it is probable that their charitable activities are motivated not only by shrewd political calculation, but by a measure of warm human sympathy as well. Of course there are other recipients of aid at the hands of the boss who look upon him frankly as a modern Robin Hood. In their view the boss "takes from the rich and gives to the poor," which furnishes, however mistakenly, an additional motive for clan-like loyalty at the polls.

Effective-
ness of
political
charities

The motives which animate poorer recipients of political charity, gathered from their own lips, have been formulated recently as follows: "Why should we go through the red tape of the public agencies when the Republican party gives us more without asking a question or without even taking our names? Why should we wait for six or eight months until Charity Boards get ready to 'pass' our donation, when the Vare men give us money at the moments when we need it most? Why should we not prefer to spend the little we receive as we desire, rather than live on the strict budget imposed by Charities? When we get into trouble with the law Charities cannot assure us of our freedom, but the Vare men can. Charities cannot give us jobs. The Organization can. The Vare people never demand anything of us. We are usually so grateful that we voluntarily ask our committeeman how he wants us to vote. It is so little for us to do for him when he has saved our lives time and time again. Charities demand our gratitude in a way that no Vare man would stoop to do. Charities never give to people whom they deem unworthy. All of us drink when we can get it. We are foreigners,

Motives
of poor
voters

and it is in our blood. To Charities we are therefore unworthy. Vane men always treat us as equals."⁷⁴

Attitude
of social
workers

In contrast with political almsgivers the social worker plans for rehabilitation, seeking to bring the family in distress back to normal self-support. He must avoid giving aid when it is not actually needed, thus destroying independence or encouraging waste. And, of course, he does not give aid which fosters immoral or criminal tendencies. Political charity, on the other hand, is ready to meet any request which means votes in the end, regardless of its effect upon family morals or morale. Nor is the political almsgiver interested in rehabilitation; indeed continued dependence is his best means of building up continuous machine support. Further he is more interested in families containing a large number of voters, whereas the family with many children may be in greater need and, from the social point of view, better worth saving. Finally political charity is more abundant as an election draws near, falling off rapidly after the great day is over.

Well-to-do
voters

It is a striking fact that "people who live in a residential section, where the average home costs \$12,000 or more, are certain to be less amenable to the wishes of the division leader on election day than are the people who live in the poorer sections, where the houses are closer together and rents are lower."⁷⁵ In other words the voting of one's convictions is something of an economic luxury as wealth is now distributed. Democracy cannot function satisfactorily so long as large masses of citizens must use the ballot merely as a return for favors received.

EFFECTS OF BOSSISM ON THE COMMUNITY

Effects of
bossism
on city
finances

In spite of the fact that the prime motive of the boss is to make money, the large deductions due to the necessity of supporting the machine with its innumerable camp followers, to social and charitable donations, and to the extra hazardous nature of the pursuit itself, all combine to render his occupation anything but the Golconda of popular imagination. Much more important than the question of its productivity as a source of income, however, is the question of the effects of bossism, not only financial, but political and moral as well, upon a boss-ridden

⁷⁴ F. L. Reinhold, *Philadelphia Is Like That*, a Swarthmore honors thesis of 1932.

⁷⁵ J. T. Salter, *op. cit.*

community. Commenting upon the practice of Republican machine leaders of Philadelphia, the New York *Tribune*, itself a Republican paper, said: "They ultimately enjoyed a practical monopoly of all city work, from which they amassed great fortunes while the city incurred high taxes and a staggering debt." As we have just seen, the great fortunes were largely mythical, but "high taxes and staggering debt" are a stern reality of boss rule. Writing of the Tweed régime in New York City, E. Dana Durand reached the conclusion that "the total addition to the permanent debt due to this brief reign of corruption was over sixty-one million. Possibly ten million more of the assessment bonds still unfunded in 1874 may likewise be fairly charged directly to the Ring."⁷⁶ In general, machine rule is strongly favorable to bond issues. Such issues gain the friendship of powerful financial interests, furnish large sums for public contracts which give employment to political contractors and local laborers; finally, they have the advantage of postponing ultimate payment for a term of years during which the comparatively small burdens imposed by interest and sinking-fund charges are juggled as much as possible. Often the plea is made that the machine keeps taxes down, but analysis of all the facts usually reveals its falsity.

Bossism reacts in many devious ways upon the business interests of a community. Economists and political scientists who have struggled so long with the problem of the incidence of taxation would find an incomparably rich and almost virgin field in the study of the incidence of bossism. Vice and criminal interests, of course, have every reason to prefer machine rule. In general, big business may seem to gain large immediate benefits from boss control. Under corrupt conditions it is always more successful than small-scale business in avoiding taxation and other public burdens. Also big business can compete more successfully for franchises and contracts. In the long run, however, the financial advantages thus gained are likely to prove illusory. Corrupt politicians soon learn to collect "all the traffic will bear" not only when franchises are granted, but constantly thereafter through "strike" legislation and crooked administrative regulation. On more than one occasion big business interests have been forced into open revolt against the extortionate practices of the machine. Moreover, it must not be forgotten that corporations which buy

Bossism
and
business

⁷⁶ *Finances of New York City*, p. 146.

political favors are forced to recoup themselves by charging higher rates to the consumer. Thus the vicious economic circle is complete. Business interests pay the boss, the boss doles out some portion of his takings to the poor in charity and entertainment, the poor and the great mass of consumers foot the bill ultimately in higher tax rates and slipshod public service, in higher street-car fares and higher rates for gas and electric light. From this angle the conception of the boss as a modern Robin Hood becomes an absurdity that would be laughable if it were not so menacing.

Croker's
Ice
Trust

At times, although not so frequently as one would wish, the incidence of graft is much more direct and, given exposure, results in prompt retaliation by voters. This was notoriously true of the American Ice Company engineered by Charles W. Morse, financier of dubious reputation, during the last years of Richard Croker's domination over New York City. A large number of Tammany politicians were involved; apparently their contribution was to be the closing of the docks to competing companies so that the "Ice Trust" could charge exorbitant prices. For this they were shown later to have received gifts of large blocks of stock; Mayor Van Wyck's holdings alone amounted to nearly \$700,000. The disclosure of these facts by the Mazet Committee knocked the bottom out of the scheme and sent the shares of the American Ice Company kiting downward on the stock exchange. Political retribution also followed. Wide publicity was given to the matter through the newspapers. "As spring merged into summer and heat-waves set the tenements stewing, the masses realized what had been afoot. Tenement mothers hushed crying babies while scanning a cartoon of Boss Croker, garbed as a burly ice-man and holding by the tongs a cake of ice in which a diminutive Van Wyck sat congealed."⁷⁷ Unquestionably the rancors caused by this affair played no small part in the sweeping fusion victory over Tammany a year later (1901), as a result of which Croker was forced to resign his chieftainship.

Political
and moral
conse-
quences of
machine
rule

Unquestionably, however, the political and moral consequences of machine rule far outweigh in gravity all the economic burdens it imposes upon the community. Bossism is thoroughly reactionary in its defense of old abuses and its opposition to reforms designed to bring about honesty in elections and efficiency in gov-

⁷⁷ Cf. T. L. Stoddard, *Master of Manhattan, the Life of Richard Croker*, p. 213.

ernment. The difficulty, nay, at times the seeming impossibility of making headway against it accounts in large part for the political apathy of many otherwise good citizens. Its toleration of vice and crime is a demoralizing influence that reaches every class in the community. Property losses, losses of character, injuries, and loathsome disease stalk in its trail. The machine conception of politics as a money-making pursuit has ruined the careers of innumerable men capable under happier conditions of real leadership and public service. And the immunity enjoyed by its servants in spite of their constant violations of the penal code destroys respect for law throughout large sections of the population. Particularly deplorable is the use of political influence in police and magistrates' courts. To many poor and ignorant citizens who, like Liliom, have nothing to do with superior and appellate jurisdictions either in this world or the next, such courts represent all that they know of law and justice. The knowledge which they gain by actual experience of the use of "pull" in police and magistrates' courts is calculated to make of them anything but good citizens.⁷⁸

On the other hand, the situation is far from hopeless. Machine rule represents a power so great and so honeycombed with abuses that it breeds opposition as well as apathy. If it is confined to or more largely developed in one party there is a chance for the opposition to win a sweeping victory with an anti-machine platform and ticket. For this reason bossism is always more circumspect and less grasping where two parties confront each other on something like even terms. In states like Pennsylvania, where the Democratic minority is so weak as to be almost hopeless, machine leaders are more likely to take long chances. Even under such conditions, however, there are limits, albeit somewhat indefinite, to the power of the boss, as Quay discovered in 1898 and the Vares in 1911 and again in 1930. Given "a long train of abuses and usurpations" on the part of the machine, the result

Opposi-
tion to
bossism

⁷⁸ *The Final Report of Samuel Seabury, Referee*, March 28, 1932, presenting the results of his investigation of magistrates' courts in New York City, is rich in specific detail bearing out the above statement. In Philadelphia the same subject was admirably covered by F. L. Reinhold, *op. cit.*; and by Spencer Ervin, *The Magistrates' Courts of Philadelphia*. Cf. also R. H. Smith, *Justice and the Poor; Survey of Criminal Justice in Cleveland, Ohio* (1921), made for the Cleveland Foundation under the direction of Dean Pound; F. J. Goodnow and F. G. Bates, *Municipal Government*, pp. 265-269.

is that reform and independent movements spring up within the dominant party itself. At such times the bosses are wont to abjure their malpractices, promise amendment, and seek out a citizen of high character, whom somehow they always seem able to cajole, to head their ticket. Conveniently forgetting their own secret relations with large corporations, they pose as friends of the plain people, determined to protect them against designing malefactors of great wealth enrolled under the independent banner. They denounce reformers as hypocritical, self-seeking "high-brows," utterly devoid of practical sense or of sympathy with the masses. Newspapers opposed to them are "the subsidized press." In such struggles reformers and independents are at great disadvantage. Knowing little of organization they must nevertheless build up an organization hurriedly. In the use of political trickery they would be outclassed even if their principles did not forbid resort to it. Despite these difficulties, independent movements have been victorious, at least temporarily, in so many cities and states that machine leaders have lost some part of their former jaunty impudence.

Effect of
reform
legislation

Regardless of the reactionary and self-interested opposition of bosses, a large number of reforms have been introduced which have brought about material changes in their practice. Among these should be mentioned civil-service reform, the Australian ballot, direct primaries, corrupt practices acts, the short ballot, proportional representation, voting machines, direct legislation, the recall, and the commission and city manager forms of municipal government. Improvements in administrative practice and in budget and accounting methods make many old-time abuses impossible or at least much easier to detect. A large number of citizens' associations keep careful watch over public business and employ experts to probe malpractices. Public opinion is more alert. Even bosses know that "you can't fool all the people all the time," although they are inclined to believe that "you can always invent a new way to fool them." Certain it is that with each fresh effort to limit its power the machine puts forth an amazing amount of ingenuity and patience to gain its ends by novel methods of evasion. Nevertheless, the crude raising of bills as practiced by Tweed or the limitless speculation with public funds as practiced under Quay would be impossible in New York City or Pennsylvania to-day.

No doubt such improvement as may be discerned in the practice of bosses is due more largely to fear of penalties than to any change of purpose or of moral standards on their part. Together with these changes in the methods of bossism some evidence has developed tending to the belief that its grip upon the country is not quite so firm or extensive as it once was. Certainly there is now not a single state boss whose power can be compared with that once wielded by Platt, Quay, or Penrose. With the passing of these great machine leaders numerous prophecies were made to the effect that bossism itself was doomed to disappear. Wherever it has once been firmly established, however, it has shown remarkable recuperative powers even after the most grueling defeats. Also it must be remembered that even if the great state bosses have passed from the political stage hosts of minor ward, city, and county bosses are still active and powerful. Predictions that machine rule itself is soon to disappear must be based upon something more fundamental than the death or defeat of individual leaders. Not until it can be shown that the broad general causes of bossism, noted earlier in this chapter, have ceased to operate are such predictions to be accepted at their face value.

Is bossism declining?

As a matter of fact, most of these general causes of bossism still prevail, and seem likely to do so for the next few decades. One of them, however, is being rapidly changed, namely the political thought and practice of the country on such matters as the spoils system, the fear of a strong administration, the doctrine of the separation of powers. With the extension of reforms due to this change of thought and practice, particularly reforms along the lines discussed in the succeeding chapters of this volume, a further improvement may be expected. Changes in party and governmental mechanism are not enough, however. Some of the causes currently assigned for the prevalence of bossism, notably the apathy of so-called good citizens, are not so much causes as excuses of which every man and woman who possesses a backbone should be heartily ashamed. Bossism, as we have seen, is a distinctive product of American political conditions. None the less it is a product inconsistent at every point with our ideals of government and contradictory to the inclinations of every independent citizen. Only by the higher civic in-

Bossism inconsistent with American ideals

terest and more strenuous exertions of such citizens may the fight against bossism be won.

BOOK NOTES

SINCE the publication of the first edition of this book the scientific treatment of bossism has been greatly advanced by two intensive and fascinating studies: *H. F. Gosnell and C. E. Merriam, *Boss Platt and his New York Machine* (1924); *H. Zink, *City Bosses in the United States* (1930). The first is a full-length portrait of one of the most powerful of our former state bosses, particular attention being given also to his social background and political technique. The second is a collection of biographies of twenty municipal bosses, based on original sources, accompanied by a penetrating analysis of their environment and qualities. *L. Steffens in his *Autobiography*, 2 vols. (1931), restates and philosophizes incisively upon his muck-raking studies, referred to below, which attracted the attention of the whole country early in the present century. Two other recent autobiographies deal at length with machine politics: *F. C. Howe, *Confessions of a Reformer* (1925); and B. Antin, *The Gentleman from the 22d* (1927). Essentially journalistic but containing much interesting new material are the following: D. T. Lynch, *Boss Tweed* (1927); Robert Vale and Walter Davenport, *Power and Glory, the Life of Boies Penrose* (1931); T. L. Stoddard, *Master of Manhattan* (1931); and E. H. Lavine, "Gimme," or *How Politicians Get Rich* (1931). Following G. Myers' work, referred to below, three books have been devoted to Tammany Hall, two of which were obviously inspired by the prominence given that organization in the national campaign of 1928; viz., E. P. Kilroe, *The Story of Tammany* (1924); M. R. Werner, *Tammany Hall* (1928); and W. H. Allen, *Al Smith's Tammany Hall* (1928). *W. Anderson, *American City Government*, Ch. IX (1925), deals with municipal machines in general; *C. E. Merriam, *Chicago* (1929), presents "a more intimate view" of their activities in the politics of that city. No documentary material on the subject is more valuable than the Seabury reports on *The Magistrates' Courts* and on the *Departments of the Government of the City of New York*, both of which were published in 1932 and have been drawn upon extensively in the text.

In *The Shame of the Cities* and *The Struggle for Self-government* (1904, 1906), Lincoln Steffens collects materials on the abuses of machine rule from a large number of cities and states. The significance of his findings is critically discussed by H. J. Ford, "Municipal Corruption," *Pol. Sci. Quar.*, Vol. XIX, pp. 673-686 (Dec., 1904). For a brief general summary of conditions the coun-

try over S. P. Orth, *The Boss and the Machine* (1918), is also useful. In various chapters of his *Corruption in American Politics and Life* (1910), the author discusses the nature of political corruption, its extent, and the various apologies made for it. E. A. Ross, *Sin and Society* (1907), analyzes the same general topic admirably from the sociological point of view. W. J. Ghent, *Our Benevolent Feudalism* (1902), may be taken as an excellent presentation not untouched by satire of the Socialist attitude toward machine rule. Henry Chamberowne (D. M. Means), *The Boss* (1894), is an extremely clever parody based on Machiavelli's *Prince*.

G. Myers, *History of Tammany Hall* (2d ed., 1917), is an extended historical account of that political machine. For vigorous indictments of machine misrule in New York when Tammany was in the heyday of its power, see W. M. Ivins, *Machine Politics* (1887); and Theodore Roosevelt, *Essays on Practical Politics* (1888). For a disclosure of "the mental operations of perhaps the most thoroughly practical politician of the day," *W. L. Riordon, *Plunkitt of Tammany Hall* (1905), is extremely interesting, and in spite of its amusing passages is to be taken largely as a study in political realism. D. G. Thompson, *Politics in a Democracy* (1893), is an attempted philosophical justification of machine methods, using Tammany chiefly as an exemplar.

Tom L. Johnson, *My Story* (1913), presents a vivid picture from the extreme progressive point of view of machine politics in Ohio, with particular reference to the struggle over the renewal of street railway franchises in Cleveland. *Brand Whitlock, *Forty Years of It* (1916), is a work of similar character, with the mayor's office in Toledo as the center from which observations are made. On conditions at the other end of the same state Wright, *Bossism in Cincinnati*, is useful.

Machine rule in other states and cities is dealt with as follows: John Wanamaker, *Speeches on Quayism and Boss Domination in Pennsylvania* (1898); Lynn Haines, *The Minnesota Legislature of 1911*; B. B. Lindsey, *The Beast* (1910), a work similar to those of Johnson and Whitlock quoted above, dealing with conditions in Denver and the state of Colorado; and on conditions in San Francisco and the state of California, Fremont Older, *My Own Story*, and F. Hichborn, *Story of the Session of the California Legislature, 1909, 1911, 1913, 1915*; also by the same author, *The "System" as Uncovered by the San Francisco Graft Prosecution* (1915). Lynn Haines, *Your Congress* (1915), is "an interpretation of the political and parliamentary forces that dominate law making" in the national field.

All the general works on American political parties cited under Ch. I, particularly the longer treatise by Ostrogorski, devote more or less space to machines and bosses. More than anyone else, perhaps, James Bryce first brought the subject home to readers in this country by the trenchant chapters devoted to it (LX, LXVIII, LXXXVIII, LXXXIX in rev. ed. 1924) in his *American Commonwealth*, the first edition of which appeared in 1888. Especially worthy of mention is C. E. Merriam, *The American Party System* (1929), which under the general heading of "The Spoils System" (Chs. IV to VIII), presents an admirable systematic discussion of this field. P. S. Reinsch, *American Legislatures and Legislative Methods* (1913), Ch. VIII, gives an excellent brief account of the perversion of legislative action by the machine. Other brief references of great value may be found as follows: H. J. Ford, *Rise and Growth of American Politics* (1898), Chs. XXIII to XXV; H. Croly, *The Promise of American Life* (1911), Chs. V and VI; and F. J. Goodnow, *Politics and Administration* (1900), Ch. VIII.

For general discussions of municipal bossism the student should consult F. C. Howe, *The City; The Hope of Democracy* (1905), Chs. VI and VII; J. J. Hamilton, *The Dethronement of the City Boss* (1909); F. R. Kent, *The Great Game of Politics* (1923); and W. B. Munro, *Municipal Government and Administration* (1923), Vol. I, Chs. XIV to XVI, inclusive.

Documentary materials in profusion may be found in the reports of the Lexow Committee of the New York legislature (1894); the Allds Committee of the New York senate (1910); the Boston Finance Commission (14 vols., 1908-20); the Lorimer investigations of the U. S. Senate (1911-12); N. Y., N. H. & H. R. R. investigation, Interstate Commerce Committee Reports, No. 6569 (1914); and Sen. Doc. No. 543, Sixty-third Cong., 2d Sess., Vols. I and II (1914).

In the form of fiction the short stories by *Brand Whitlock, *The Gold Brick* (1910), dealing with machine operations, are easily the best of their kind. Naturally so striking a figure as the boss has been abundantly employed by novelists. Thus P. L. Ford, *The Honorable Peter Stirling* (1894), presents a rather sympathetic view of Tammany's method and spirit; A. H. Lewis, *The Boss*, is a mordant picture of the Croker type; H. R. Miller, *The Man Higher Up* (1910), and *His Rise to Power* (1911), describe in thinly veiled fiction the Quay régime in Pennsylvania; *Theodore Dreiser, *The Financier* (1912), and *The Titan* (1914), are tremendously powerful and detailed accounts of the interrelations of politics and finance in Philadelphia and Chicago; Winston Churchill, *Coniston* (1906),

Mr. Crewe's Career (1908), *A Far Country* (1915), and *The Dwelling Place of Light* (1917), compose a sustained and impressive series which has been widely read; *Donald Richberg, *A Man of Purpose* (1922), discusses admirably the political frame-up engineered by corrupt politicians to assassinate the character of their opponents. Booth Tarkington, *The Gentleman from Indiana* (1905); and Samuel Blythe, *The Price of Place* (1913) and *The Fakers* (1915) are also interesting. An anonymous "autobiography," *Haunch, Paunch and Jowl* (1923), is in reality pungent satire, the principal character being a Tammany controlled judge from New York's East Side. The novels of William Allen White, Robert Herrick, and Ernest Poole deal effectively with the broader social background of industrial and political forces. For extended lists of novels and essays with brief critical comment the reader should consult C. E. Merriam, *American Political Ideas* (1920), Ch. VIII of which is devoted to a discussion of political ideas in American literature.

CHAPTER X

NOMINATIONS: CAUCUS AND CONVENTION SYSTEM, DIRECT PRIMARIES

Social
value of
the nomi-
nating
function

THE process of making nominations, it will be recalled, is the distinctive function of political parties. Although at times poorly performed, it constitutes an essential and highly useful service to the state. Reformers may deplore the enormous amount of effort and money apparently required for the making of nominations, and sigh for that ideal condition in which "office seeks the man, not man the office." But under a democratic and highly elaborated form of government such as our own it is essential that there should be some definite and well organized system for bringing forth at the appointed times the tens of thousands of candidates needed for elective offices of every description. In the absence of a nominating system of this character the great mass of more or less indifferent voters would be left without guidance and also without the intense interest which a good contest always arouses; there would be no means to bring about a sharp focusing of popular attention upon those personalities possessing both the qualifications and the inclination for public office; many minor offices would be left unfilled, and probably not a few of the major offices would be filled unsatisfactorily by that one out of a considerable and indefinite group of receptive but undesigned candidates who happened to have behind him a minority vote sufficient to win by plurality on election day.

Practical
political
importance
of nomina-
tions

Quite apart from motives connected with the welfare of the state, practical politicians have always realized the immense importance of definite party designation. Among them it is a proverb that "you can't beat somebody with nobody." In this connection one should remember that, with the exception of a few appointments made because of vacancies, nearly all of the more than 800,000 persons holding elective public offices in the United States to-day received some form of nomination prior to election.¹ More-

¹ C. E. Merriam, *The American Party System*, p. 243, estimates the number of elective offices in the United States as follows: federal, 531; state, 10,000;

over, throughout large sections of the country one or the other of the two great parties is so strongly in the majority that a nomination at its hands is virtually equivalent to election. In such sections, of course, the nominating process is of greater importance and attracts more interest than the purely formal elections which follow.

No other country has developed such elaborate, complicated, and costly nominating machinery as the United States. Historically it has evolved through three periods, each characterized, so far as the more important offices were concerned, by a dominant type: I. The Legislative Caucus, from the Colonial Period to 1830; II. The Delegate Convention System, 1830 to 1903; and III. The Direct Primary Election System, 1903 to the Present Time.

Elaborate machinery of nominations in the United States

I. THE LEGISLATIVE CAUCUS FROM THE COLONIAL PERIOD TO 1830

During the Colonial period and immediately following, elective offices were comparatively few in number, the suffrage was greatly restricted, and the influence of aristocratic or propertied families was well established. Under these conditions, gentlemen were accustomed to bring forward their own candidacies, or their names might be proposed at gatherings of the neighborhood gentry, which were often quite as convivial as they were political. In cities, clubs of all sorts and trade organizations sometimes nominated their leading members for public office. Over wider areas, these easy-going and diffuse methods were helped out by committees of correspondence.

Colonial methods of nomination

Early in the eighteenth century, however, a fairly definite and quite effective piece of local nominating machinery known as the caucus was developed. Two etymologies have been suggested for this word, one deriving it from the Algonquin Indian "kaw-kaw-was," meaning to talk, to give advice, to instigate; the other referring it to the caulkers' meeting or caulkers' club to which dockyard workers in Boston belonged.² A vivid contemporary

Origin of the caucus

county, 54,000; city, 66,000; town, rural, school, and miscellaneous, 700,000. All told there are some 250,000 separate governments in the country—national, state, regional, county, municipal, school and other local units—in nearly all of which there are elective officials.

² M. Ostrogorski, *Democracy and the Organization of Political Parties*, vol. i, p. 120, n., gives further details on these etymologies.

picture of the Colonial caucus is presented in the diary of John Adams, under date of February, 1763, as follows:

This day learned that the Caucus club meets at certain times in the garret of Tom Dawes, the adjutant of the Boston regiment. He has a large house, and he has a movable partition in his garret which he takes down, and the whole club meets in one room. There they smoke tobacco till you cannot see from one end of the garret to the other. There they drink flip, I suppose, and they choose a moderator who puts questions to the vote regularly; and selectmen, assessors, collectors, fire-wards, and representatives are regularly chosen before they are chosen in the town.³

The legis-
lative
caucus

When it became necessary to nominate candidates for the governorship and other state offices, this function was assumed at first by a meeting of all the members of a given party in the legislature. In 1800 the same system was established in Congress for the choice of presidential candidates. Considering the difficulties of travel at that time, there is nothing unnatural in the development of the legislative caucus. Members of the legislature and Congressmen were political leaders who reflected the opinions of their constituents. Obligated by legislative duties to spend some time in the capital, it was easy for them to meet and designate candidates.

The
"mixed"
or "mongrel"
caucus

But this system suffered from one obvious defect—the absence of representatives from many districts. For example, those districts which failed to elect a Federalist to the legislature were not represented in the legislative caucus of that party. To meet this objection, the practice grew up in some states of choosing party delegates from districts not represented by a member of the party in the legislature. At the appointed time such delegates would make their way to the state capital to participate with members of the party holding seats in the legislature in a "mixed" or "mongrel" caucus which selected nominees for statewide offices. In spite of its simplicity this device was of no small importance since it pointed the way to the transformation of the legislative caucus into the delegate convention.

Public
criticism of
the legisla-
tive caucus

However, the nominating caucuses both in state legislatures and in Congress soon came to be criticized on much more serious grounds. They were denounced as oligarchic and corrupt, as Jacobinical conclaves which flagrantly usurped powers belonging

³ *Life and Works of John Adams*, vol. ii, p. 144.

to the people. Believers in the system of checks and balances also saw in the caucus a means whereby the legislative branch, having arrogated to itself the power of conferring offices in other departments, would come to dominate the whole government, contrary to the provisions and spirit of the Constitution. During the era of good feeling the power of the congressional caucus visibly decayed and under the violent attack launched against it by the rising Jacksonian democracy of the new West, "King Caucus" was dethroned in national politics. Even before this was accomplished the anti-caucus movement had made considerable progress in the states. During the Presidency of Jefferson, Delaware took the lead in going over to the convention system. No doubt the decision to do so was made easier by its small size, enabling delegates from every part of the state to meet readily in some centrally located place. In the larger commonwealths the change came about more slowly, but by the time the first national conventions were held (1830-32), delegate conventions had been introduced everywhere except in the South.

II. THE DELEGATE CONVENTION, 1830-1903

At the basis of the delegate convention system was the local popular caucus or primary, which was continued unchanged in form and increased in power from the preceding period. This was, in theory at least, a meeting of all the voters of a party in a given ward, town, or township. Previously it had made nominations for the elective offices of its territory. To this was now added the function of choosing delegates to city, county, and sometimes to district conventions. These conventions selected candidates for elective offices in their respective districts, and in their turn chose delegates to the higher district and state conventions.

Delegates
chosen by
local
caucus

Representation in all these conventions was apportioned to districts on the basis of the party vote in each. Delegates and alternates at large to the national convention were chosen by the state conventions. District alternates and delegates to the national convention were chosen by congressional district conventions, except that in New York and several other states delegates to the Democratic state convention met in groups according to their congressional districts, and chose such delegates.

Represent-
ation in
conven-
tions

This complicated and imposing hierarchy of conventions rested

The hierarchy of conventions

upon the basis, in theory purely democratic, of the thousands of popular caucuses or primaries in local communities throughout the country. Above its democratic foundation the whole pyramidal structure of delegate conventions was assumed to be thoroughly representative in character. Delegates represented either voters in caucus assembled or conventions chosen by them in the last analysis. They met presumptively to register the voters' will, at first in the choice of candidates; and later also in the drafting of formal party platforms.

The work of conventions

Delegates to conventions were confined solely to these two duties, whereas members of the earlier legislative caucuses had many duties to perform in the midst of which their responsibility for nominations was not easily fixed. Moreover, the work of conventions lasted only a few days, it was jealously watched by rival aspirants and factions, it commanded a lively public interest, and was immediately subjected to the searching tests of a campaign and the final decision of a popular election.

Frauds and abuses practiced in primaries

Considering the theoretical perfection and the practical safeguards of the popular primary and delegate convention scheme, one is amazed at the number of gross frauds and malpractices it developed within a short time after it was adopted. No more striking evidence can be cited of the fierce unscrupulousness of political ambition and factional strife in the United States. Popular caucuses or primaries were frequently dominated and terrorized by "floaters" and "repeaters" drawn from the lowest elements of the population, native or foreign born. Violence often occurred in "tough" wards, and a wise political leader arranged with the police in advance of the meeting so that they might have no difficulty in detecting and throwing out "trouble makers," belonging, of course, to the opposite faction. The meeting places chosen for popular caucuses or primaries were in or immediately adjacent to saloons, or over livery stables, or in other places likely to deter the more respectable class of citizens from attending. "Preparatory to the general election of 1884, there were held in the various districts of New York ten hundred and seven primaries and political conventions of all parties, and of these no less than six hundred and sixty-three took place in liquor saloons."⁴ Sometimes rooms would be selected too small to hold

⁴ T. Roosevelt, "Machine Politics in New York City," *Century*, vol. xxxiii, pp. 74-82 (Nov., 1886).

all the voters, word being passed out to the ward heelers to take possession at an early hour, thus excluding effectually the independent element. Or, also by prearrangement, the gang and its cohorts would make their appearance in advance of the time set, turn the clock an hour ahead, put through a cut-and-dried program, and jeer the independents when they arrived on the scene. This particular trick was called holding a "snap caucus." Primaries were often "packed" by voters of one faction or another, or even by voters of the opposite party. Bribery was resorted to if necessary, and the boss or coterie of machine leaders pulled every wire to secure the nomination of the "slate" of candidates selected by themselves.

As an emanation from popular primaries delegate conventions suffered from all the evils characteristic of the former, and in addition developed quite a number peculiar to themselves. Moreover, these evils became manifest shortly after the invention of the delegate convention system. In a passage that for pure invective would be hard to surpass, Walt Whitman, the poet, denounced the system, even attributing part of the blame for the Civil War to its malign influence:

Additional
abuses
practiced
in conven-
tions

For twenty-five years previous to the outbreak [of war] the controlling "Democratic" nominating conventions of our Republic—starting from their primaries in wards or districts, and so expanding to counties, powerful cities, States, and to the great Presidential nominating conventions—were getting to represent and be composed of more and more putrid and dangerous materials. . . . One of these conventions, from 1840 to '60, exhibited a spectacle such as never could be seen except in our own age and in these States. The members who composed it were, seven-eighths of them, the meanest kind of bawling and blowing office-holders, office-seekers, pimps, malignants, conspirators, murderers, fancy-men, custom-house clerks, contractors, kept-editors, spaniels well train'd to carry and fetch, infidels, disunionists, terrorists, mail-riflers, slave-catchers, pushers of slavery, creatures of the President, spies, bribers, compromisers, lobbyists, sponges, ruin'd sports, expell'd gamblers, policy-backers, monte-dealers, duellists, carriers of conceal'd weapons, deaf men, pimpled men, scarr'd inside with vile disease, gaudy outside with gold chains made from the people's money and harlots' money twisted together; crawling, serpentine men, the lousy combings and born freedom-sellers of the earth. And whence came they? From backyards and bar-rooms; from out of the custom-houses, marshalls'

offices, post-offices, and gambling hells; from the President's house, the jail, the station-house; from unnamed byplaces, where devilish disunion was hatch'd at midnight; from political hearses, and from the coffins inside, and from the shrouds inside of the coffins; from the tumors and abscesses of the land; from the skeletons and skulls in the vaults of the federal almshouses; and from the running sores of the great cities. Such, I say, form'd or absolutely controll'd the forming, of the entire personnel, the atmosphere, nutriment and chyle, of our municipal, State, and National politics—substantially permeating, handling, deciding, and wielding everything—legislation, nominations, elections, “public sentiment,”—while the great masses of the people, farmers, mechanics, and traders, were helpless in their gripe. These conditions were mostly prevalent in the north and west, and especially in New York and Philadelphia cities; and the southern leaders, (bad enough, but of a far higher order,) struck hands and affiliated with, and used them. Is it strange that a thunderstorm followed such morbid and stifling cloud-strata?⁵

Later con-
vention
evils

Nor did these evils abate as time went on. Particularly in minor conventions men of inferior type, sometimes of dubious or even criminal reputation, were present and active. Few, however, reached such depths of depravity as the Cook County convention, held in 1896, described as follows:

Of the delegates, those who have been on trial for murder numbered 17; sentenced to the penitentiary for murder or manslaughter and served sentence, 7; served terms in the penitentiary for burglary, 36; served terms in the penitentiary for picking pockets, 2; served terms in the penitentiary for arson, 1; ex-Bridewell and jailbirds identified by detectives, 84; keepers of gambling houses, 7; keepers of houses of ill fame, 2; convicted of mayhem, 3; ex-prize fighters, 11; pool-room proprietors, 2; saloon keepers, 265; lawyers, 14; physicians, 3; grain dealers, 2; political employees, 148; hatter, 1; stationer, 1; contractors, 4; grocer, 1; sign painter, 1; plumbers, 4; butcher, 1; druggist, 1; furniture supplies, 1; commission merchants, 2; ex-policemen, 15; dentist, 1; speculators, 2; justices of the peace, 3; ex-constable, 1; farmers, 6; undertakers, 3; no occupation, 71. Total delegates, 723.⁶

“Proxies”

A considerable period of time intervened between primaries and conventions which was utilized to the utmost to bring pressure to bear upon delegates and even to bribe them or to buy

⁵ Essay on the “Origins of Attempted Secession,” in *Specimen Days*, p. 259.

⁶ R. M. Easley, “The Sine-qua-Non of Caucus Reform,” *Review of Reviews*, vol. xvi, pp. 322-324 (Sept., 1897).

their "proxies." Many delegates were chosen who had no intention of attending the convention, and who, for a consideration, were willing to transfer their credentials to unscrupulous politicians. Later these proxies were voted in blocks on the floor of the convention. Proxy voting is now prohibited by law in some states, and by party rules in others. Also the general practice of selecting alternates to take the place of delegates in case the latter are unable to attend the convention has helped to break up this particular abuse.

If a split or bolt occurred in the primaries each faction sent its own set of delegates to the convention. The faction in control of the convention seldom bothered itself about the merits of the case and would promptly seat that one of two contesting delegations which could be depended upon to support its slate. There were times, however, when party harmony seemed so desirable that both sets of delegates were seated, a half vote being given to each of the members. Although often threatened, violence was not so common in conventions, at least those of higher grade, as in primaries. On the other hand, boss or machine control was more complete. Steam-roller methods were often in evidence, and one convention held under the sway of Platt, in New York, was referred to as having been run by electricity. Much depended upon the choice of a presiding officer who could be relied upon to recognize only adherents of his own faction, sidetrack hostile motions, and gavel things through promptly regardless of clamor and even of the vote of the delegates.

Contest-
ing dele-
gations

Of course all these abuses were not practiced in every primary or convention. Primaries in particular reflected the character of the districts in which they were held. In rural sections such meetings were usually free from violence and the cruder forms of fraud. But in city wards inhabited by the lowest class of native or foreign-born population, violence and fraud were fairly common, unless indeed the control of the ring or the boss was so complete as to make opposition hopeless. Some states and cities had rules sufficiently stringent and well enough administered to prevent the most flagrant abuses and a few promising beginnings were made in the way of legal regulation. Everywhere, however, the professional political class opposed these reforms. Naturally the abuses cited above were most prevalent in the caucuses and conventions where regulation was least developed.

General
character
of pri-
maries
and con-
ventions

Futile exhortations to reform

At this distance of time it is easy to prescribe further legal remedies which might have saved the old convention system.⁷ As a matter of fact every resource of oratory and exhortation was expended in vain to induce the better class of citizens to attend the primary and thus to uplift the whole nominating machinery and political life of the country. The apathy of good citizens was denounced in countless speeches, sermons, and editorials; indeed, it was commonly pointed out as one of the chief causes of current abuses. Frankly, the task seemed too difficult ever to be accomplished with the tools at hand. By dint of long and bitter experience the great public which was not interested professionally in politics had come to the conclusion that the convention system was dominated by irresponsible leaders, that it excluded the rank and file from effective participation in party management, that it turned out candidates oblivious to the wishes of their constituents—in short, that it was completely and incurably boss-ridden. As in the case of the old legislative caucus, what was demanded was not amendment, but abolition. The result was the general introduction of the direct primary election system.

III. DIRECT PRIMARY ELECTION SYSTEM, 1903 TO THE PRESENT TIME

Nature of the direct primary system

Essentially the direct primary election system is a system for making nominations by popular elections held under state management. When applied to all offices it abolishes not only the state convention, but lesser conventions in districts, counties, and cities, and popular caucuses or primaries as well.⁸ The convention system was a representative or indirect method of making nominations; the direct primary election system is direct in that it places the nominating power in the hands of the voters themselves. In short, the latter amounts practically to an election held in advance of the general election.

Direct primary a legal creation

The direct primary election system also differs sharply from

⁷ For a list of such reforms, see A. N. Holcombe, *State Government in the United States*, rev. ed., p. 193.

⁸ Some confusion may be caused by this similarity of names. The popular primary or caucus was an assemblage of voters in small local units to make nominations and choose delegates to conventions. Under a thoroughgoing direct primary election system the voters of a party do not meet as a body, but go to the polls as individuals to express by ballot their preference among candidates for nomination.

the legislative caucus and convention systems which preceded it in that it is established by law. Both of the earlier nominating methods rested upon party rules and customs. Toward the end of the delegate convention period it is true that attempts were made to eliminate abuses both in conventions and in popular primaries or caucuses by legislation. But the direct primary election system is thoroughly official in character, and its smallest details are determined by law. The change thus brought about is perhaps the most sweeping that has occurred in our party history. Taken in connection with the Australian ballot, it has brought a large part of our extra-constitutional governmental machinery under state control, while at the same time it has given parties a legal standing which formerly they did not possess.

Credit for the invention of the direct primary is usually given to the Republican party in Crawford County, Pennsylvania, various authorities assigning dates from 1860 to 1868. In consequence it was known during the earlier stages of its evolution as "the Crawford County plan." Recent research has shown, however, that the device was first employed by the Democratic party in the same county September 9th, 1842.⁹ Particular significance attaches to this date because it shows that already within a few years after their introduction, delegate conventions had developed the evils which led later to their abolition generally. Earlier in the same year these evils had disrupted the local Democracy and the new device was resorted to in an effort, successful for the time being, to restore party harmony. The author of the resolution creating the Crawford County plan was one George Shellito of Sadsbury, otherwise unknown to fame. It provided merely that Democratic voters in each district should meet and ballot on the various aspirants for county nominations, the results being reported to a county convention bound to ratify the choice of those who had received the largest number of votes for each office in the county as a whole; thus, to quote a contemporary phrase, "the sovereign voters themselves were to declare who shall be their candidates." Until 1850, that is for eight years,

Invention
of the
direct
primary

⁹ For this information the author is indebted to the researches of one of his honors students in Swarthmore College, Mr. James H. Booser, whose unpublished thesis, *The Origin of the Direct Primary*, contains a wealth of material derived in large part from the files of Crawford County newspapers preserved in the libraries of Meadville and Harrisburg, Pa.

the Crawford County plan was used by the Democrats of that county, meanwhile attracting considerable attention throughout the state. Its revival by the Republicans in 1860 was based on the earlier experience of their opponents. Thereafter the Crawford County plan in its original form as a mere party rule began to spread throughout the country, being taken up by many counties in middle, western, far western and southern states.¹⁰ Widely hailed as a "revival of democracy" it was this early informal experience with the Crawford County plan which laid the foundation for its legal adoption later under the title of the direct primary election system.

Extension
of the
direct
primary
election
system

Wisconsin was the first state to pass a direct primary election law in 1903, the event marking the end of one of the rounds in the long-drawn-out battle between LaFollette progressives and reactionary politicians.¹¹ During the next three years few converts were made to the new idea, but between 1907 and 1915 it spread with such rapidity that at the end of the latter year all the states of the Union, with the exception of five, had adopted it in some form.¹² At present (1933) the direct primary exists everywhere except in Connecticut, Rhode Island and New Mexico. However, there are wide differences among the states as to the number or kind of offices brought under the direct primary election system, and hence in the extent to which it eliminates conventions. Some states use it both for public and for party offices; others only for party offices. The New York law of 1911 and the Indiana law of 1915 restricted the direct primary election system to the nomination of the principal state officers,

¹⁰ Adopted by the neighboring Cuyahoga County, Ohio, in 1886, it roused the heated antagonism of Mark Hanna, then a local politician of Cleveland. Cf. H. Croly, *Marcus Alonzo Hanna*, p. 355.

¹¹ Cf. Robert M. LaFollette, *Autobiography* (1913), in which the fight for the direct primary is described vividly and in detail.

¹² The list with dates is as follows: Wisconsin, Alabama, 1903; Oregon, 1904; Texas, 1905; Iowa, Missouri, Nebraska, North Dakota, South Dakota, and Washington, 1907; Illinois, Kansas, Ohio, and Oklahoma, 1908; Arizona, 1909-12; Arkansas, California, Idaho, Michigan, New Hampshire, Nevada, and Tennessee, 1909; Colorado, Maryland, 1910; Maine, Massachusetts, New Jersey, and Wyoming, 1911; Kentucky, Louisiana, Minnesota, Mississippi, Montana, and Virginia, 1912; Florida, New York, and Pennsylvania, 1913; Indiana, North Carolina, South Carolina, Vermont, and West Virginia, 1915. Utah has a law of the old type permitting parties to hold primary elections except in cities of the first and second classes where they are mandatory. In Delaware, delegates to the state conventions are chosen in direct primary elections.

a practice, by the way, which had the advantage of making the primary ballot short. In some states, on the other hand, local and county offices only were brought under the direct primary election system, nominations for the more important state offices being made by conventions.

At the other end of the scale are states which, like Pennsylvania and New Jersey, employ the direct primary election system to nominate all elective officers of the state, districts, counties, cities, and towns; and also to choose party officers such as members of the city, county, and state committees. This has eliminated conventions entirely in Pennsylvania, although, of course, unofficial, and often secret, slate-making conclaves meet frequently in advance of primary elections. The only elective officers not chosen at primary elections in Pennsylvania are presidential electors, who are named by the national candidates of the various parties. It should be observed that when the direct primary election system is used, as in Pennsylvania, for the choice of party officers it serves as an actual election of such officers. As a consequence primary ballots in such states sometimes rival in length ballots used in general elections and are much more difficult to mark, since there is no opportunity to indicate a straight vote by making a single cross mark in a party square. In a few states efforts are made to enlighten the voter by permitting a candidate to state briefly on the primary ballot any official act or policy to which he wishes to commit himself. The resulting slogans in six, eight, or twelve words may or may not be edifying, but a polling place is ill adapted for the study of some dozens of such pronouncements. Publicity pamphlets containing photographs and sketches of candidates are also issued in several states.¹³

Long
primary
ballots

Apart from these aids, the ordinary voter is apt to know nothing about the long list of candidates whose names appear on the primary ballot, with two exceptions: (1) those prominent contestants for state-wide offices who have been discussed at length in the newspapers, and (2) those seeking local offices whom he happens to know personally. He may, of course, take with him a prepared list or marked sample ballot kindly supplied him by the organization or by some group of independents. Other-

The voter
and his
primary
ballot

¹³ For a discussion of publicity pamphlets see chs. xiii and xvii below; also Merriam and Overacker, *op. cit.*, pp. 88-91.

wise his vote will be a thing of chance and patchwork save for the two exceptions noted above.¹⁴

Do newspapers and city voters control primaries?

Because of the difficulty occasioned by primary ballots it was often said that the direct primary system would mean government by newspapers. Experience has shown, however, that the influence of the press is easily exaggerated in primary as well as in general elections. In sharp contrast with the argument that direct primaries meant government by newspapers was another argument, used often but rather illogically by the same persons, namely that direct primaries meant the rule of masses of city voters. The latter, it was alleged, would be marched to the polls by bosses, moreover they would not have so far to march as the rural voter. Here again experience has demonstrated the contrary to such a degree that urban machine politicians almost to a man are opposed to the direct primary. On the other hand rural states and sections have rallied strongly to its support whenever efforts were made to abolish it.

Definition of parties in direct primary laws

Another limitation of the scope of direct primary elections, although not of the same practical importance as that relating to candidacies, is made by the definitions of political parties included in the laws of several states. The test for recognition as a political party on the primary ballot takes the form of a certain number of voters or, more commonly, a certain percentage of the total vote cast in the preceding general election. Thus New York state defined a party as a political organization which polled at least 10,000 for governor at the last preceding election. Formerly percentage tests varied from 1 per cent of the total vote in Maine, to 2 per cent in Illinois and Pennsylvania; 3 per cent in Massachusetts and California, 5 per cent in Florida, 10 per cent in Idaho and Tennessee; 20 per cent in Kentucky, and 25 per cent in Alabama. Provision was occasionally made whereby newly formed parties might receive recognition upon filing a petition signed by a certain number or percentage of voters. For the latter purpose California, Oregon, and Idaho required petitions signed by 3, 5, and 10 per cent of the voters respectively. North Carolina required a petition signed by 10,000 voters. While these tests excluded from the operations of the primary election system a few of the lesser minority parties, the latter were ac-

¹⁴ See the author's discussion of "Voters' Vagaries," *National Municipal Review*, vol. x, p. 161 (March, 1921).

corded the privilege of making their own nominations by petition and of having these nominations printed on the official ballots used in general elections. It is to be regretted that the tendency of recent years has been to raise such requirements to a figure which makes competition by third parties impossible. Thus Ohio now requires 200,000 signatures before a new party can receive separate designation; West Virginia demands five petitions each with 6,000 signatures; Illinois 60,000 names for tickets in Cook County; and so on.¹⁵ Granted that some new parties are composed largely of nit-wits, that others are started largely for their nuisance value as against the older organizations, still it remains true that to bar bona-fide new movements from the ballot box merely plays into the hands of radicals who preach the necessity of violence.

As in general elections, so also in primary elections the ballots used are official in character, printed under public authority, and voted under public election officers with all the safeguards of the Australian ballot system. To secure a place on the primary ballot petitions must be circulated on behalf of each aspirant. The necessary minimum number or percentage of signatures to be obtained is fixed by law roughly in accordance with the importance of the office sought. Thus in Pennsylvania, the requirement for President or United States Senator is at least one hundred signatures in each of ten counties; for state offices and other offices to be filled by vote of the state at large, at least one hundred signatures in each of five counties; for district representative in Congress and state senator two hundred signatures; for member of the state House of Representatives, one hundred signatures; for minor local and party offices, ten signatures; for local inspectors of elections, only five signatures. Michigan requires the signatures of from 2 to 4 per cent of the party voters; California 1 per cent of the party vote in at least ten counties; Illinois $\frac{1}{2}$ of 1 per cent for less important offices. Three states—Kansas, New Hampshire and Oregon—offer aspirants the option of securing a place on the primary ballot either by obtaining a small number of signatures or by payment of small fees. In New Hampshire, for example, the requirement for governor or senator is \$100 or

Primary
petitions

¹⁵ For further illustrations see P. H. Douglas, *The Coming of a New Party*, p. 137.

200 names; for state senator, \$10 or 15 names; for county offices, \$5 or 20 names.

Handling
of peti-
tions

In addition to fixing the number of signatures the primary law usually sets a date before which petitions may not be circulated, and it always states the date when petitions must be in the hands of some state officer, usually the secretary of state, or, for local offices, in the hands of some county official. These state or county officials are charged with the duty of passing upon the number and genuineness of signatures and petitions, and of certifying names which pass their tests for printing upon the official primary ballot. In general the enormous mass of petitions which are dumped into state and county offices before primary election are gone over rather perfunctorily. Sometimes, however, objection is made by rival candidates, signatures are scrutinized carefully, and a sufficient number may be rejected as forged or otherwise invalid to keep a name off the primary ballot. As a measure of prudence, therefore, it is usually worth while for a candidate to secure a safe margin of signatures in excess of the actual number fixed by law.

The sign-
ers of
petitions

Nominating petitions may be circulated by the candidate himself or by friends and members of his campaign committee in such a way as to advertise his candidacy effectively. Often, however, petitions are kept at political headquarters, the "boys" being told to drop in and sign them. Except in the case of local offices or of conspicuous personalities, the average voter knows little or nothing about the character of the candidates named in the sheaf of nomination papers thrust before him, but in most cases he is willing to sign perfunctorily on the strength of the worker's assurance that they are all "all right." By law a voter may sign one petition only for each office to be filled, unless two or more persons are to be elected to the same office, in which case he may sign as many petitions as there are persons to be elected.

"Petition
pushers"

Sometimes an effort is made to secure a number of signatures largely in excess of the requirements of the law for a given office as an evidence of the popularity of the candidate thus honored. In a few states, however, this practice is forbidden by law. Where, as in the case of state-wide offices, a considerable number of signatures must be secured, it is not uncommon to employ purely commercial agents to get them, paying at the rate of, say, five cents a name in rural districts, and two or three cents in cities.

In general, nominating petitions do not require anything like the large number of signatures needed for initiative, referendum, and recall petitions. Hence there is less excuse in the case of the former for the hiring of "petition pushers."

Nevertheless, frauds are sometimes committed in securing signatures. Local political leaders of the practical variety do not scruple to write in names of their heelers, knowing that the latter would swear to the genuineness thereof in the unlikely event of an investigation. In a notorious Pennsylvania case it was shown that a large number of signatures had been copied all in the same handwriting and in alphabetical order from the pages of a city directory.¹⁶ Technically, this was not forgery, since the citizens whose names were borrowed were deemed to have suffered no loss thereby. But perjury was committed when, as is usually required in connection with the filing of nomination petitions, affidavit was made "that the signatures attached to the foregoing nomination paper are in the proper handwriting of the qualified electors named therein."

Frauds in
securing
signatures

Direct primary elections are of two types—"open" or "closed." Open primaries, as used in Wisconsin and Montana, impose no test of party allegiance.¹⁷ The qualified voter who presents himself at the polls under this type of direct primary election is handed the ballots of all the parties. In Wisconsin these are printed on separate sheets, but are fastened together at the top and folded. Or they may be printed on the same sheet, with perforated lines between the tickets of the various parties. Retiring to his booth, the voter privately separates the ticket of the party he wishes to vote from the others, marks and folds it, and upon emerging deposits it in the regular ballot box, at the same time placing the unmarked tickets in a ballot box reserved for "blanks."

"Open"
and
"closed"
primaries

Under the closed type of direct primary election, on the other hand, the voter who wishes to participate must submit to a test of party affiliation, either sometime prior to, or at the primary itself. These tests differ considerably in kind and in the char-

Tests of
party
affiliation

¹⁶ *Report on the Jury Wheel Crime of 1912*, published by the People's Rights Association of Delaware County, 1915.

¹⁷ Michigan and Vermont are virtually in the same class since in these states the voter has only to ask publicly for the ballot of the party he wishes to support, thus having the right to determine his party affiliation merely by announcing the fact.

acter of the authorities administering them, as will be explained later, but all of them have one feature in common, namely, that the voter must publicly affiliate himself with one of the political parties engaged in the primaries. Thereupon, he is handed the ballot of that party only. Voters who possess all the qualifications requisite for participation in general elections, but who do not comply with the prescribed tests of the closed primary, are not permitted to vote the ballot of any party in the primary election. They may, however, vote non-partisan primary ballots, if such ballots are being used at the same direct primary election.

Advantages of the open primary

The open primary has the advantage of preserving the secrecy of the voter's party affiliation. This is a matter of considerable importance to many persons who for business, social, or other reasons prefer to keep their party inclinations to themselves. It is easy to condemn such faint-hearted souls. On the other hand, one should remember that in connection with general elections enormous stress has been laid upon the right of the voter to a secret ballot, and all sorts of complicated devices have been employed to guarantee that right. After a generation of this kind of instruction it is no wonder that a large number of voters resent the tests employed in closed primaries and that a considerable minority of them refuse to comply with such tests, thus, of course, disfranchising themselves so far as primaries are concerned. Primaries of the open type do not rouse this resentment, or exclude voters who because of timidity or an excess of independence refuse to disclose their party affiliation.

Disadvantages of the open primary

On the other hand, open primaries suffer from the serious defect that they interpose no barrier to raids made by members of one party upon the primary ballot of another. For example, if a Republican member of Congress who has been a tower of strength to his party comes up for renomination, the Democrats of his district may throw enough votes to his opponent, a weaker and less well known man, to nominate the latter. And, of course, Republicans may interfere with Democratic nominations with equal ease. The temptation to indulge in this sort of guerrilla warfare is particularly strong where, as is not infrequently the case, one party, because of lack of candidates, has no important contests on in the primary, while the other party has. In this respect the open type of direct primary election offers far less protection to party integrity than the old popular caucus. Inter-

lopers from other parties attempting to participate in the latter usually needed hospital treatment shortly thereafter.

Considering the gravity of this defect in the open type of direct primary election, it is not strange that the great majority of states have preferred the closed primary. Such changes as have been made of recent years are also in the latter direction.¹⁸ It cannot be asserted, however, that the closed primary has found a definite solution of the problem of determining party affiliation of voters. "A perfectly working system would have sufficient flexibility to allow voters to pass from one party to the other as issues change or as individual opinions change, and at the same time would prevent the shifting of machine-controlled or other voters to the primaries of another party without any intention of supporting the party."¹⁹ It is, however, much easier to state an ideal of this sort than to realize it in legislation and administration.

Closed
primaries
generally
preferred

So far as declarations made by voters with regard to party membership are concerned, they may be reduced to two main groups: (1) those relating to past allegiance; and (2) those relating to present affiliation or intent.²⁰ Under the first of these, for example, a voter at the time of registration some weeks before the primary might enroll himself as a Republican. At the primary itself a watcher of that party, suspecting the voter's affiliations to be otherwise, might challenge his vote. Whereupon the challenged party would be required to take oath that at the preceding general election he had cast his ballot for a majority at least of the candidates of the party with which he had declared himself affiliated. However, party watchers are loath to interfere under these circumstances. In most cases they do not know what the motives of the voter are and fear that a challenge at the hands of a watcher of the party he has just embraced may drive him back to the opposition party in the general election.

Declara-
tions of
voters

No doubt the test as to earlier affiliation works satisfactorily in the case of persons of nice moral scruples. Unfortunately, not

Effective-
ness of
tests

¹⁸ Cf. the excellent table comparing conditions in 1908 and 1920, in M. McClintock's "Party Affiliation Tests in Direct Primary Election Laws," *American Political Science Review*, vol. xvi, pp. 465-467 (August, 1922).

¹⁹ C. E. Merriam, *The American Party System*, rev. ed., p. 259.

²⁰ McClintock, *op. cit.*, notes the following subdivisions and the number of states employing each as follows: Voters' declaration as to (a) past allegiance only, 5; (b) present affiliation only, 13; (c) future intention only, 2; combinations of two or more of these, 19.

all the voters desiring to participate in closed primaries belong to that category. In any event, perjury in this connection is safe from legal penalties for the simple reason that at the preceding, as at all general, elections the ballot was secret. Manifestly an oath with regard to a voter's present affiliation or future intention is equally valueless for the same reason. It should not be inferred that personal motives are consciously bad in the case of all those who make a change in their enrollment contrary to the kind of vote cast in the preceding general election. The author recalls the action of a college professor of ethics long and openly affiliated with one party, who at the last moment prior to a direct primary election enrolled with the opposing party. His motive was that the candidates of his own party at the time were all safely dry, whereas on the opposing ticket there was a close and bitter struggle between two factions, one wet, the other dry. Being deeply concerned in the success of prohibition, he desired for the time being to vote in the primary of the party where he could further that cause effectively. Let the reader decide whether the professor's action was good ethics or good politics.

Authority
formulat-
ing party
tests

A point of considerable practical importance is involved in the designation of the authority which formulates the test of party affiliation. Under earlier direct primary election laws it was more common to place such powers in the hands of the political party itself. In the southern states this enabled the dominant party to exclude Negroes from its primaries, and hence from any effective political action, since a nomination is virtually equivalent to election in these states. Between 1908 and 1920, however, seven states out of the fourteen having regulations of this character withdrew the power to formulate tests of affiliation from the political party. At present thirty-one states vest it in the legislature, and six others divide it between the legislature and the party.

Another
kind of
test

Less objectionable than the various tests noted above would be a form of declaration that within a prescribed interval the voter had not participated in the primary election of another party.²¹ Reinforced by an adequate system of party registration, this would effectually prevent capricious or dishonest changes of

²¹ A. N. Holcombe, "Direct Primaries and the Second Ballot," *Am. Pol. Sci. Rev.*, vol. v, pp. 535-552 (Nov., 1911).

party affiliation. But such a solution is open to three important objections:

First, it interposes too rigid a barrier to the prompt redistribution of voters among the parties in response to a sudden change in the dominant party issues. Secondly, it tends to prevent a different party affiliation in federal and in local politics in response to differences in the attitudes of parties toward federal and local issues. Thirdly, it tends to encourage an unnatural concentration of voters of divergent political sympathies in the primary of a dominant party. The tendency of the establishment by law of an effective test of party affiliation is, therefore, to perpetuate obsolete party divisions, to confuse distinct party issues, to undermine minority party organizations, to divide majority party organizations, and to give to a minority of voters, namely, the dominant faction within the dominant party, a disproportionate influence upon the result of elections."²²

Confronted by this political antinomy, the general tendency of recent legislation is toward the more strictly closed primary, and the placing of increased difficulties in the way of a voter who wishes to change his party affiliation. In practice, however, no direct primary is absolutely closed. All that can be said is that change of party affiliation is much more difficult in some cases than in others. Apart from the South the states fall into two groups on this point. First, those which are more populous and urban, chiefly eastern, which maintain fairly stringent party tests by law or tradition. Secondly, those less populous and urban, chiefly western, north central or mountainous states, where party ties sit more loosely and where by law or by practice primaries tend to become open. In states of the last-named group a marked disintegration of parties is taking place and groups such as the Nonpartisan League are able at times to play a dominant rôle.²³ And ever since the sensational bolt of numerous

Tendency
of recent
primary
legislation

²² A. N. Holcombe, *op. cit.* The undermining of minority party organizations is particularly evident in a state like Pennsylvania. Thus in the writer's borough with a Republican enrollment of 831 and a Democratic enrollment of 113, the average vote for Democratic candidates in a recent election was 234. This would indicate that slightly more than half of the Democratic party's strength locally is enrolled and takes part in the primaries of the majority party.

²³ For a thorough survey on this and other points, see R. S. Boots, "The Trend of the Direct Primary," *Am. Pol. Sci. Rev.*, vol. xvi, pp. 412-431 (Aug., 1922). A similar survey bringing the subject down to date is presented by P. O. Ray, "Primary Legislation," *ibid.*, vol. xx, pp. 349-352 (May, 1926).

"Hoovercrats" in the presidential election of 1928, the whole matter of tests to determine party affiliation has been debated vigorously and rancorously throughout the South.²⁴

Non-partisan primaries

Nearly all the states having the direct primary election system provide that nomination for certain kinds of offices shall be made by a non-partisan primary. This is held at the same time as the party primary. It differs from the latter, however, in that the ballots used contain no party designation whatever. The candidates whose names appear on non-partisan primary ballots are nominated by petition as in the case of candidates on the party primary ballots, except that such petitions may contain no reference to the party affiliation of the candidate and may be signed by qualified voters regardless of the party affiliation of the latter. Also at the primary election itself qualified voters may receive and vote non-partisan ballots regardless of whether or not they have met the tests prescribed for participation in a party primary.

Workings of the non-partisan primary

The purpose of the non-partisan primary is, of course, to reduce partisanship to a minimum in the making of nominations to certain offices which because of their nature it is felt should be kept free from this influence. In municipalities the tendency has been strongly in favor of this form of nomination. Judicial and school offices are also commonly placed on a non-partisan primary ballot. In Minnesota it is even used in connection with members of the legislature. The names of the two candidates receiving the highest votes in such primaries are placed on a non-partisan ballot, also, as its name implies, without party designation of any kind, for the general election. The success of this device depends upon the degree of independence and intelligence of the communities in which it is employed. Unquestionably the non-partisan ballot, whether used in primaries or general elections, makes a stronger demand upon the intelligence of voters than the partisan ballot. As a matter of fact, groups form behind the so-called non-partisan candidates both in the primary and general elections, which are parties in all but name. In those states or cities where the organization is strongly entrenched, it is usually able to pass the word to a sufficient number of its hench-

²⁴ For a thorough discussion of this question see pamphlet by S. D. Myers, Jr., *Party Bolting*, published by the Arnold Foundation, Southern Methodist University, Dallas, Texas, 1932.

men to secure the nomination and election of those candidates who have been placed upon the non-partisan ballot at its bidding.

One of the arguments urged most strongly in favor of the direct primary election system was that under it aspirants for nomination would be more numerous than under the convention system.²⁵ Too often under the latter it was perfectly well known that only those persons who had secured in advance the approval of the boss had any chance to get a place on the ticket. On the whole this argument in favor of the direct primary has justified itself in practice. At times there is a plethora of candidates. Thus in 1921 a Philadelphia primary ballot contained the names of 218 contestants for eleven nominations to the office of magistrate; in 1931—partly no doubt because of the depression—there were 7,000 candidates in the Democratic primaries of the state of Mississippi or one to every 35 qualified voters. As a rule there is seldom any dearth of candidates for desirable offices on the primary ballots of parties which have a fair chance of success in the general election. At the Massachusetts primary of 1930 there were from one to five candidates for each office on the Democratic ticket, and from one to ten on the Republican ticket. Ordinarily, however, the average number of candidates for each nomination does not exceed two or three. On the tickets of minority parties there will frequently be no contests, only one name being presented for each nomination. This condition is largely responsible for the tendency on the part of members of minority parties to enroll and vote in the primaries of the dominant party.

Not infrequently the primary ballots of the Prohibition, Socialist, and other smaller minority parties are left blank so far as names of candidates are concerned, except for a few prominent state-wide offices. In such cases enrolled voters of these parties may write in the names of candidates under the titles of the various offices. If only one name is written in under such circumstances, it goes on the ballot for the general election as the official candidate of the party for that office. Of course under these

Greater
number of
candidates
under
direct
primary

Blanks in
minority
party
ballots

²⁵ On the actual workings of the direct primary in various states, see C. Kettleborough on Indiana, *Nat. Mun. Rev.*, vol. x, p. 166 (1921); F. E. Horack, *Primary Elections in Iowa*; Millspaugh, *Party Organization and Machinery in Michigan*; N. H. Debel, *Direct Primary in Nebraska*; R. S. Boots, New Jersey, in his *Direct Primaries*; and H. Feldman, *Am. Pol. Sci. Rev.*, vol. xi, p. 494 (1917). For other references see Book Notes at the end of this chapter.

circumstances candidates belonging to the majority parties frequently try to capture the nomination of a minority party in addition to that of their own. Thus it may happen that a notoriously wet Democrat secures a place on the Prohibition ticket or a notoriously capitalistic Republican on the Socialist ticket.

Devices to
prevent
minority
nominations

With more than two aspirants in a primary it must frequently happen under the generally accepted plurality rule, that the nomination is carried off by a candidate who has behind him less than a majority of the votes of his party. To remedy this condition various devices have been employed. Ten states employed the preferential system of voting, but all have since abandoned it.²⁶ In Iowa and South Dakota if no candidate receives more than 35 per cent of the total vote of his party the result of the primary is deemed inconclusive, and nominations are made by the state convention. A few other states once had similar percentage plans, but have abandoned them for an ordinary plurality requirement. "Experience shows that where there is a sharp division upon a question of principle the number of candidates will be small and the contest is likely to resolve itself into a struggle between two of them. But if the battle is a personal contest between individuals with no particular principles at issue, there is no great harm done by allowing the one receiving the highest vote to take the nomination."²⁷ However, the most widely accepted device of this kind is the double primary which has been adopted either by party rule or by law in Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Tennessee, and Texas.²⁸ In these states there is a first or "free-for-all" primary—open, that is, to all aspirants who have secured the required number of signatures to their petitions. This is decisive in the case of nominations to offices if any aspirant receives a clear majority vote. In the case of other offices there is a second, or "run-off," primary to decide between the two candidates who received the highest votes in the free-for-all ballot. Of course this plan involves a great deal of extra trouble and expense, but it does place a majority vote behind the party nominees. In the states where it is employed this is a matter of more than usual

²⁶ Alabama, Florida, Idaho, Indiana, Louisiana, Minnesota, North Dakota, Oklahoma, Washington, and Wisconsin.

²⁷ C. E. Merriam, *The American Party System*, p. 268.

²⁸ For the text of laws on this point, see Mississippi L. 1914, chap. 149; Texas L. 1918, 4th C. S., chap. 90, sec. 1.

importance inasmuch as nomination by the Democratic party is virtually equivalent to election.

Taking advantage of provisions for the formation of new parties or for running as independents, candidates who have been defeated in the primary of their own party sometimes secure a place on the ballot for the ensuing general election. Naturally they are denounced as "sore-heads" by their successful rivals and former party associates. In a few states the direct primary election laws have recently been amended to prohibit such candidacies. Thus Kentucky makes any candidate defeated in the primary ineligible for the same office during the same year; Maryland, Oregon, and California forbid a candidate of this kind to become the candidate of any party or to run as an independent; and Indiana has provided that the name of an independent candidate may not be printed on the general election ballot unless he shall have filed his declaration thirty days before the primary.²⁹

Anti
"sore-
head"
laws

Another argument frequently urged in favor of direct primary elections is that they bring out a better class of candidates and consequently a higher type of public officials. That they have increased the number of aspirants there can be no doubt, but among these are always some who are without organized support and hence are not really in the running. Under the old convention system men of high type were sometimes designated by the machine without the necessity of any effort on their part. However, this seldom happened unless the machine anticipated a sound drubbing at the hands of the voters because of its recent misdeeds. It is argued that men of high type, particularly those whose eminence has been gained in other fields than politics, will not thrust themselves forward and make the fight necessary to gain a nomination at a primary election. Opinions differ greatly with regard to this point. Charles E. Hughes takes it very seriously, but Professor Merriam regards it as "a pleasant fiction without much basis in the actual facts of political life."³⁰

Type of
candidates
under
direct
primary

In the absence of accepted standards of measurement to determine political ability and virtue it is, of course, impossible to

²⁹ R. S. Boots, *op. cit.*, Ky. L. 1920, chap. 156; Md. L. 1922, chap. 399; Ore. L. 1921, chap. 420; Cal. L. 1921, chap. 710; Ind. L. 1921, chap. 198.

³⁰ Cf. pamphlet on *The Direct Primary*, published by the National Municipal League, 1921, pp. 5, 14.

Occasional
primary
victories
over the
machine

prove that the direct primary election system has produced candidates of superior type. Certainly it debars no politician capable of cutting a figure in the old-time caucus or convention. And "it gives great advantage to the smooth man who is willing to spend money in making himself known, or to the aspirant who keeps himself much in the public eye, regardless of the way in which he gets himself there."³¹ It must, however, be conceded that, given a popular revolt of sufficient magnitude against the machine, it is possible to break the slate of the latter in the primary election even when it is so completely in control of the party machinery that under the old convention system it could dictate every nomination on the ticket. Such events happen only occasionally, as in the 1922 primaries of Indiana when Beveridge was nominated for the Senate, and of Pennsylvania in the same year and again in 1930, when Pinchot was nominated for Governor. However, the possibility of such untoward events induces a certain moderation on the part of political bosses that is doubtless salutary. On the whole this seems to be the greatest single advantage that can be claimed for direct primary elections after thirty years' experience with them. Of course if the electorate is quiescent, party organizations find it easily possible to secure the nomination of their slates under the direct primary election system.

The boss
and the
direct
primary

From one viewpoint party bosses are said to find a certain satisfaction in direct primary elections. Under the old convention system, prospective candidates knew that their chance of success depended almost entirely upon the word of the boss. If that word was not forthcoming they made as much trouble for him as they could. Under the direct primary election system many candidates still eagerly seek the approval of the boss. He may tell those to whom he is in reality opposed that he has nothing to do with nominations, that everything is in the hands of the people under the direct primary election system, and that, of course, if they wish to try it they have the same right to do so as anybody else. Nevertheless, he may use his influence quietly and often successfully for his friends in the primary. If afterward there is any recrimination from disgruntled aspirants the boss tells them not to blame him, but rather the people who are responsible for their defeat. However the argument works the

³¹ W. B. Munro, *Government of American Cities*, p. 134.

other way: a candidate who wins his nomination against machine influence is not likely to prove subservient to the latter while in office.

Direct primary elections are sufficiently simple and open in their methods to encourage active participation by the rank and file of party members. Undoubtedly they bring out a vote heavier by far than was ever registered under the old popular caucus system. Even in dull primaries from 25 to 55 per cent of the party vote is polled. In hot fights the participation runs from 55 to 85 per cent.³² Of course objection is made to direct primary elections on the ground that only a minority may nominate even under the most favorable circumstances. Thus with 85 per cent participation and only two aspirants, the successful one needs only 43 per cent of the party enrollment to win. However, few, if any, nominations were made under the old convention system that could claim to have been supported by anything approaching this percentage of party strength. Further it should be remembered that a considerable element in all parties is indifferent. Voters of this kind prefer to let others make nominations, reserving to themselves the right to reject any or all candidates of the party in the general election. It must be remembered also that under the direct primary system every vote counts directly for every office on the ballot from governor to tax assessor, whereas in the old popular caucus it counted directly only for a handful of local offices and indirectly through the hierarchy of delegate conventions for offices of greater importance. The direct primary election system applies the same method to all nominations made under it, and in this respect it is simpler than the convention system. Finally, under the old convention system an unavowed or "dark horse" candidate might be groomed quietly in such a way as to carry off the nomination at the eleventh hour. Under the direct primary this time-worn trick of political jockeyism is impossible.

Vote in
direct
primaries

On the other hand, the direct primary election system suffers from certain obvious defects. Where it is so complete that all conventions are abolished, no party authority remains which is capable of drafting platforms. One solution of the problem, if it can be called a solution, is to ignore the matter as in Pennsylvania. The consequence is that candidates for more important

Party
councils

³² C. E. Merriam and L. Overacker, *Primary Elections*, pp. 271-274.

offices, notably the governorship, occasionally issue declarations of policy, proclaiming them to be the equivalent of a party platform. Needless to say such proclamations are always hotly repudiated by the faction defeated in the primary. While there is considerable weight of authority behind the assertion that the day of the platform is done except in national campaigns,³³ most of the direct primary states have set up some sort of machinery to draft statements of party principles and policies. In about half of them delegate conventions meeting either before or after the primary perform this function. It is not a particularly happy arrangement since conventions minus the power of making nominations are not very impressive bodies; moreover there is the awkward possibility that divergent factions may prevail in the convention and in the primary. Ten states have solved the problem by the creation of party councils which are charged with the duty of writing platforms.³⁴ The idea is by no means novel; it was suggested by President Wilson in 1913 as suitable for application to national conventions.³⁵ It rests on the conviction that party platforms should be written by those who are to run on them and, if elected, to carry them out, namely the party's candidates, aided perhaps by its hold-over office holders. Thus in Arizona, Colorado and Vermont the party council is composed of the nominees for state offices; in Missouri it includes the state committee, nominees for state and legislative offices and nominees for United States Senators and Representatives; in Wisconsin the hold-over state senators sit with the nominees for state offices. One of the gravest defects in the American party system is the weakness of the organs which formulate party policies. In this respect our conventions have always fallen far behind the annual Party Diets common in European countries. It may well be that the newly developed party councils,

³³ R. S. Boots, "Party Platforms in State Politics" in *Annals Am. Acad.*, vol. cvi, p. 72 (March, 1923).

³⁴ Arizona, Colorado, Kansas, Missouri, Montana, New Jersey, North Dakota, Vermont, Wisconsin, and Ohio (non-presidential years). In three others—Massachusetts, New Hampshire, and California—a combination of council and convention draws up the platforms. The New Hampshire body, for example, is composed (1) of nominees for all state offices, and (2) of locally elected delegates from each town and ward of a city, making a body of several hundred people.

³⁵ See ch. xi following.

themselves a by-product of primary elections, will prove a major achievement of our current political experimentation.³⁸

Also under the direct primary election system it may happen that a majority of the party offices are secured by members of a faction hostile to candidates. As a result the latter must either accept support of party officials whom they distrust or improvise a campaign organization of their own. It has been suggested that this difficulty might be removed by permitting candidates to appoint their own campaign managers. Doubtless this would work as well as it does in national elections, if the candidates agreed among themselves, but under the direct primary election system it is easily possible that the candidates may represent bitterly opposed factions. Of course similar cases of internal strife occurred under the old convention system, but they were less likely because the faction which dominated the convention not only nominated the candidates, but also wrote the platform and chose the party officials who were to manage the campaign.

Candidates
and party
officials

Party conventions also resulted in the nomination of a well-balanced ticket—that is, one with candidates representing the various geographical sections of the district and all the more important industrial, racial, and religious elements of the party. Unworthy bargains may have been consummated in connection with such arrangements, but on the other hand, considerations of ability, party service, and party welfare were taken into account. The point is that the direct primary election system provides no facilities for producing a balanced ticket. Indeed, it may result in the success of a single narrow faction and the nomination of a ticket leaving large sections of the district and important elements in the electorate out of consideration. Of course since all parties operate under the same primary election law, each of them is equally exposed to this danger.

"Bal-
anced"
tickets

In many ways the old convention system worked for party integration and harmony. It provided for periodical meetings between leaders and active party workers from all parts of the county, district, state, or nation. No doubt leaders and delegates alike at such meetings were more interested in projects for the division of the loaves and fishes than in the higher issues of statecraft, but at least they met one another face to face and

Social fea-
tures of
the old
convention

³⁸ For a strong argument in favor of further developing party councils see Merriam and Overacker, *op. cit.*, pp. 310-314.

formed personal relationships of esteem and cooperation. Even to-day it is impossible to talk to a politician of the old school without noting the vivid and pleasant, one might almost say sentimental, memories he retains of his convention experiences. Of course some conventions were stormy affairs, making it necessary for the members of the dominant faction to throw out, in the literal sense of the word, their opponents. In general, surprisingly little permanent resentment resulted from these struggles. A year later former antagonists might be working shoulder to shoulder, or the dominant faction of the previous fight, now in a minority, might find itself thrown out in its turn. And no matter which side won there was a clear-cut decision.

Party
responsi-
bility

Too much stress should not be placed upon sentimental reminiscences of the above type. However it is often done, especially taking the form of the assertion that the direct primary has destroyed party responsibility. As a matter of fact there was little enough of the latter under the convention system. In the good old days free silverites and gold-bugs, insurgents and standpatters, liberals and conservatives, big business and labor interests, machine and reform elements, Klan and anti-Klan staged many a pitched battle, with resultant bolts and splits and interminable factional struggles. With two major parties each containing widely diverse elements it is inevitable that this should be the case, no matter what kind of nominating system is employed. Our sacred dogma of separation of powers, checking and balancing each other, gives further encouragement to intraparty as well as to interparty conflicts. Certainly no one has demonstrated or can demonstrate that the degree of party responsibility was greater under conventions than under the direct primary. Leaders have arisen under the latter, and partly because of it: LaFollette in Wisconsin, Wilson in New Jersey, Lowden in Illinois, Beveridge in Indiana, Capper in Kansas, Norris in Nebraska, Johnson in California, Pinchot in Pennsylvania. To be sure they represent a somewhat different type of leadership from that of the McKinley era, particularly in that they are accustomed to present their case directly to the masses of the voters. It is at this point that the weakness of the party responsibility argument is most manifest. Who are to be responsible and to whom? Obviously there are three principal claimants: (1) the electorate, (2) the party organization, and (3) the

candidates, some of whom are to be office holders. Under the old system conventions largely dominated by the party organization or even by a boss, were thrust between the electorate and the candidates. As a result responsibility tended to accumulate in the hands of machine leaders. By establishing a closer bond between electorate and candidates the direct primary has reduced the relative importance of party machines. At the same time it has made clearer the responsibility of the candidate to the electorate, a solution which certainly is in accord with democratic principles. "Of all the arguments against the direct nominating system, the charge that it destroys or tends to destroy the party system and party responsibility is the least tenable, and least deserves to be taken conclusively by intelligent observers of American parties."³⁷

The argument which is used with the greatest force and effectiveness against the direct primary election system is the heavy burden which it imposes upon both the public purse and the private purses of candidates. The state is forced to pay for extra registration in advance of the primary, for the printing of primary ballots, the rent of polling places, and the salaries of election officials. And the successful candidate is obliged to fight two campaigns, one for nomination, the other for election. In the first of these he stands not as the representative of the party, but as a personal aspirant. If he wins at the primary he may expect some support out of the party funds for his final campaign. But it is manifestly improper to use party funds to advance the interests of any candidate in the primary, and in some states it is specifically forbidden by law.³⁸

Of course a candidate may form a personal campaign committee and receive financial help from it. In general, however, the tendency is to look to the candidate for a large part of the money needed for his primary campaign. The laws of several states, chiefly in the South where direct primary elections are conducted under party control, empower the party authorities to collect fees from candidates sufficient in amount to pay some portion at least of the cost of the primary. Thus in Alabama party authorities may make assessments upon candidates not to exceed 4 per cent of the first year's salary of the office sought,

Heavy
burdens
imposed
by the
direct
primary

Cost of
primary to
candidates

³⁷ Merriam and Overacker, *op. cit.*, p. 237.

³⁸ Cf. N. Y. L. 1911, chap. 891; 1913, chap. 820.

nor more than \$35 in the case of fee offices. In Maryland fees run as high as \$270 for the governorship and in Nevada as high as \$250, but in most states the maximum is \$100 or less. Some states exact a percentage of the salary of the office sought, ranging from one-half of one per cent in Ohio to 3 per cent in Florida. Filing fees relieve the state treasury to a slight extent, but they do so only by transferring the burden to candidates whose other campaign obligations are sufficiently heavy. However, the trend of primary legislation is toward the payment of much the greater part of all common costs out of public funds.

Advantages to candidates with large campaign funds

In small towns and districts the financial burden imposed upon candidates under the direct primary election system is not great enough to deter many from entering the contest. Throughout large sections of the country primary campaign costs are so low even for more important offices that they involve no serious problem. For example, of the 59 Republican aspirants for nominations to Congress in Oregon from 1910 to 1928 two only spent more than \$3000, while thirty spent less than \$1000.³⁹ In predominantly rural states primary contests for nomination to the United States Senate are far from costly affairs: successful candidates for this office in 1926 from Iowa, Kansas, South Dakota, and North Dakota spent sums ranging from \$110 to \$1876. On the other hand it is true that in a few larger industrial states and in metropolitan cities one may expect to make little headway unless he either is able to contribute large sums from his private funds, or can count upon contributions considerable in the aggregate from persons or interests friendly to his candidacy. If permitted under the law the first of these alternatives is objectionable because it means that millionaires with political ambition enjoy an enormous advantage under the direct primary election system. Some of the most noisome political scandals of recent date may serve as illustrations—witness the Vare case

³⁹ For a wealth of statistical material on this point cf. L. Overacker, *Money in Elections*, ch. iii. Discussing his own experience in the *Annals* (vol. cvi, p. 27, March, 1923), Senator George W. Norris of Nebraska said: "Both times when I was a candidate for the Senate I had very active and spirited opposition. My nominations cost me, as I remember it now, less than \$500 on each of these occasions. I know that if I had undertaken to secure a nomination at the hands of a convention, I would have been defeated had I not spent many times this sum of money, and probably would have been defeated anyway. In looking back over it now, I do not see where I could have legitimately spent more than I did."

of 1926 in Pennsylvania and the Frank L. Smith case of the same year in Illinois.⁴⁰ And the second alternative is objectionable because it may mean that the poor man obtains his success in the primary only by tacitly mortgaging his future official conduct to the interests which have financed his campaign. Of course candidates under the old convention system were often compelled to contribute or raise considerable sums to secure nomination, although the absence of publicity laws at the time leaves us without definite figures as to amounts thus exacted. No doubt the money was sometimes used to bribe delegates. One of the arguments in favor of the direct primary election system was that while you could buy a nomination from a convention you could not buy it from the whole electorate of the state. Nevertheless, large-scale corruption has been employed to obtain nominations within the gift of the people.

During the last few years attacks have been made upon direct primary elections in a large number of states. Enemies of the system ascribed this hostile movement to the defects which it has shown in practice. Its friends assert that the movement is a conspiracy of disgruntled machine politicians seeking to recover the power they possessed under the old convention system. Some encouragement was given to attacks upon direct primaries by the Harding administration in 1920, and the movement occurred in so many sections of the country and on a sufficient scale to be described as nation wide. Summarizing the results Professors Merriam and Overacker find that repeal or radical modification was attempted in thirty-four states.⁴¹ All parts of the country were involved except the South where the direct primary seems firmly intrenched—partly of course because it is so effective a means for preserving white supremacy. In only three states, however—New York, Idaho, and Kentucky—was the convention system restored for nomination to any state office. The most striking feature of the struggle was the popular favor, often overwhelming in strength, which was shown for the direct primary whenever legislative repeal measures were submitted to

Recent
attacks
upon the
direct
primary

⁴⁰ For details of the Vare case see ch. xiii below; the Smith case is thoroughly ventilated in Carroll H. Wooddy, *The Chicago Primary of 1926*.

⁴¹ C. E. Merriam and L. Overacker, *Primary Elections* (1928), pp. 95-107. For earlier phases of this movement see R. S. Boots, "The Direct Primary Weathers the Storm," *Nat. Mun. Rev.*, vol. x, pp. 322-324 (June, 1921).

referendum.⁴² Nor is the battle ended—in 1931 a pre-primary designating convention measure, advocated by Republicans and opposed by Democrats, was defeated in the Massachusetts House of Representatives by a vote of 163 to 68. At present (1933) a movement is being engineered by machine politicians in Pennsylvania to get rid of the direct primary law of that state.

Direct
primary
weathers
the storm

On the whole, therefore, the direct primary election system has weathered the storm. In the near future it will have to face attacks, sharpened by the prevailing depression, on the ground of the expense involved. So far, however, in spite of the heavy financial burdens and manifest defects of this method of making nominations, it retains the support of a large part of the people as a serviceable means of beating the machine at least occasionally. Presidential preference primaries, which will be discussed later, have shown themselves so ineffective that abandonment may occur in that field. But there is not the slightest prospect of a return to the old and thoroughly discredited system of unregulated popular caucuses and conventions. Even if other states should follow the lead of New York, Idaho, and Kentucky in restoring conventions for more important offices, they will, as these states did, surround the processes of conventions with many legal safeguards designed to insure fairness and openness, and further, they will provide for the election of delegates to such conventions in direct primary elections also regulated by law so as to prevent the abuses of the old popular caucus.

Improve-
ment of
the direct
primary

If the direct primary system is to remain for the present, what means may be taken to improve its operation? Since in so many particulars primary elections resemble general elections, it is obvious that reforms which would work well in connection with the latter should prove applicable also to the former. Pre-eminent among such reforms is the short ballot, which "is indispensable to any satisfactory system of party nominations."⁴³ Reforms in other political fields, as, for example, the merit system, should have a beneficent reaction upon both general and primary elec-

⁴² Nine cases are cited by Professors Merriam and Overacker as follows, the popular vote for primaries being given first in each case,—Washington, 1916,—200,449 to 49,370; Montana, 1919,—77,549 to 50,483; Nebraska, 1920,—133,115 to 49,410, also in 1922,—208,261 to 95,494; South Dakota, 1920,—82,012 to 65,107; Arizona, 1922,—26,302 to 7,774; North Dakota, 1925,—65,747 to 54,867; Ohio, 1926,—743,313 to 405,152; Maine, 1927,—37,114 to 20,027.

⁴³ C. E. Merriam, "Recent Tendencies in Primary Election Systems," *Nat. Mun. Rev.*, vol. x, pp. 87-94 (Feb., 1921).

tions. Also it is evident that many states, especially those which enacted direct primary laws several years ago, might do well to revise them in the light of the experience gained by more progressive states. We are, however, sadly in need of an adequate scholarly survey of that experience. Such a survey would be a task of colossal magnitude which could be performed successfully only by cooperative effort.

One proposal for reform has been brought forward repeatedly by theorists, practical politicians, and officials—that of a pre-primary recommending convention. It is in use at present only in the state of Colorado.⁴⁴ In effect the pre-primary convention plan permits locally elected delegates or party committeemen to make designations from the list of those who had filed nominating petitions—in other words, to put a regular ticket in the field prior to the date of the primary election. If the party rank and file accept this ticket no election need be held, thus saving a great deal of expense and trouble. If opposition develops, independent designations may be made, and a decision reached in the ordinary way at the primary election. It is unlikely that such contests would be numerous. As a result the primary ballot could be greatly shortened—a consummation devoutly to be wished. On the other hand, independent candidates who forced a decision at the primary would no doubt be denounced by the regulars as party rebels. According to a recent writer, the pre-primary conference plan seems to possess other advantages, as follows:

Pre-primary recommending conventions

It would permit effective party conference; it would secure the choice of committeemen by, and their responsibility to, the full party vote; it would regularize what is now the practice of an irresponsible organization in many states, and permit a drafting of candidates in the states where now everything is left to the self-advertisers; it would not lessen the opportunity which the primary now affords, of

⁴⁴ Pre-primary conventions were strongly recommended by Charles E. Hughes when governor of New York. For a statement of his views see article on "The Fate of the Direct Primary," *Nat. Mun. Rev.*, vol. x, pp. 23-31 (Jan., 1921). In Colorado the law on this subject permits nominations to be made either by petitions signed by a certain number of electors or by designation at the hands of the pre-primary convention; however the names of those nominated by the latter method are placed on the ballot in the order of the vote received by each in the convention, whereas the names of those nominated by petition follow in alphabetical order. Of course the advantage of having first place on a primary ballot is considerable. For further details of the Colorado plan see C. E. Merriam and L. Overacker, *op. cit.*, p. 364.

combating objectionable candidacies and reducing the organization to submission.⁴⁵

New York
and Colo-
rado plans

While much can be said in favor of the above plan, the New York law of 1911, since repealed, went too far in its provisions for pre-primary meetings and designations. It gave candidates selected by regular party committees a preferential place on the primary ballot and authorized them to use the party emblem, thus favoring unduly the organization and opening the way to straight-ticket voting. The plan introduced in Colorado, where representative party assemblies are held and all aspirants receiving 20 per cent of the vote thereof become official party candidates in the primary is greatly to be preferred.

Nomina-
tions by
petition

Unquestionably, however, there is a growing conviction among authorities on the subject that attempts to reform the direct primary election system will result chiefly in adding to its burdens and complexity. Various suggestions have been made looking to the substitution for it of something simpler, less costly, and more effective. Among these suggestions, nomination by petition has been widely discussed. This plan takes two forms, according to the number of signatures required for a place on the ballot used in the general election. The first aims to prevent a multitude of candidates by the requirement of a large number of signers. Thus in Boston any voter may appear upon the municipal ballot as a candidate for mayor by filing nomination papers with 5,000 signatures, and as candidate for the city council or the school committees by filing nomination papers with 2,500 signatures. This plan does not restrict the race to the two strongest candidates. It gives a chance to every large group in the city to make its nominations. But it has not put an end to the preliminary caucus and it suffers from all the abuses and waste of effort apparently inherent in the collection of large numbers of signatures.

Free
nomina-
tion
system

The second form of nomination by petition, sometimes referred to as the free nomination system, proposes to throw open the ballot for use in the general election to all persons whose names are proposed by a very small number of electors. This system has produced excellent results in England and in several of her self-governing colonies. For parliamentary candidacy all that is now required is a nomination petition in writing signed

⁴⁵ R. S. Boots, *op. cit.*, p. 431.

by a proposer, seconder, and eight others, all registered voters. Moreover, if only one candidate is proposed for a seat, he is forthwith declared elected. In general parliamentary elections from one fourth to one third of the candidates and in municipal and county council elections even larger proportions are thus returned unopposed.

There are numerous reasons for the dearth of candidates in England. Parliamentary candidates are obliged to deposit in advance the sum of one hundred and fifty pounds sterling to be used toward defraying the expenses of the election. If in the subsequent poll a candidate receives one eighth of the votes, his money is returned to him; if not, he loses it forever. Elective office holders are paid very low salaries or none at all. There is no patronage to distribute. There is no hierarchy of offices, local, county, state, and national, as in the United States, to encourage candidates eager for future advancement. Other traditional and social reasons peculiar to England discourage political ambition in large classes of the people.⁴⁶

Effects of
the system
in England

In the United States most of these limitations do not exist. The English system has the advantage of being very simple and it is inexpensive except to candidates. On the other hand, it restricts political aspiration in a narrow and undemocratic way. In the United States the ambition to hold public office is widespread. On the whole it is well that this is the case, in spite of the fact that at times thoroughly unfit men manage to get themselves nominated and elected. Also Americans seem to be more willing to stand up and take a political beating, although, of course, there are many more ways of deriving advantage even from defeat in this country than in England. Apart from the motives influencing candidacies in the two countries, however, it is undeniable that the comparatively large number of signatures required under our existing primary-election laws does not prevent an excess of candidates in many instances. If we were to reduce our requirement to the English standard of ten names only, and, further, if we were to eliminate the necessity

Probable
effects in
the United
States

⁴⁶ For an admirable discussion of this topic, see A. L. Lowell, *Government of England*, vol. ii, pp. 46-56. Of course the deposit of £150 referred to above is a part only of the campaign expenditures of a candidate for the House of Commons, assuming it is not returned to him. Professor J. K. Pollock, *Money and Politics Abroad*, p. 15, estimated the average expenditure of such candidates in recent elections at about £750.

Other
possible
solutions

of fighting for a decision in a primary election, it seems probable that we would be overwhelmed with candidates, at least for all desirable offices. Our ballots, already too long for discriminating voting, would become unmanageable.

Nomination by petition, whether with a large or a small number of signatures, therefore, offers no ideal solution to the problem proposed by direct primary elections. There remains one further possibility. With few or comparatively few nominations, the primary election might be eliminated and decision made in a final election held under the preferential voting system, or, better still, under the single transferable vote system of proportional representation. These voting systems will be explained later. Suffice it to say here that both of them provide methods whereby if no candidate receives a majority of the voters' first choices, which, of course, would elect him in any event, the second or third choices of voters are canvassed until a decision is reached presumably representing the major choice of the electorate. The single transferable vote system of proportional representation arranges for the ascertainment of the will of the voters with a nicety which seems to cover every shade of preference which could be brought out in two elections, one primary, the other general. By doing so it saves an enormous amount of trouble and expense. If the experiments now being made along this line in a number of cities should prove successful, we may be able to substitute for the direct primary election system not something "just as good," but something better, simpler, and cheaper. Meanwhile it is well to remember that if once in a dozen years the direct primary prevents the capture of a city or a state by the machine, the resultant money saving alone, leaving moral values wholly out of the reckoning, may amount to much more than the cost of primaries during the whole period.

BOOK NOTES

BY FAR the most valuable critical discussion of the direct primary system as a whole is *C. E. Merriam and L. Overacker, *Primary Elections* (1928). In appendices it presents digests of the primary laws of all the states, also copious bibliographical references. The most intensive and thoroughgoing study of any single primary election and at the same time most fascinating reading is *Carroll H. Woody, *The Chicago Primary of 1926* (1926).

Earlier general works on nominating methods are L. T. Beman, ed., *The Direct Primary* (1926); *The Direct Primary*, issued as no. 195, vol. 106 of the *Annals of the American Academy of Political and Social Science* (March, 1923); C. E. Merriam, *Primary Elections* (1908); and F. W. Dallinger, *Nominations for Elective Office* (1897). Three valuable special studies are R. S. Boots, *The Direct Primary in New Jersey* (1917); N. H. Debel, *The Direct Primary in Nebraska* (1914); and O. C. Hormell, *Cost of Primaries and Elections in Maine* (1926). A rather ineffective argument against direct primaries is attempted in B. H. Freyd, *Repeal the Direct Primary* (1925). E. C. Meyer, *Nominating System: Direct Primaries versus Conventions* (1902), is particularly helpful for its accounts of convention abuses. Although in the form of fiction no one has presented more vivid and accurate descriptions of old-time political conventions than Brand Whitlock in *The 13th District* (1902), and in his "Reform in the First," one of the collection of short stories included in *The Gold Brick* (1910).

Owing to the central importance among party functions of the nominating process all the general works cited under Ch. I devote more or less space to the subject; in addition valuable chapters are presented in the following: F. A. Cleveland, *Organized Democracy*, Ch. XVII (1913); A. B. Hall, *Popular Government*, Ch. IV (1921); A. N. Holcombe, *State Government*, Ch. VII (rev. ed. 1928); C. E. Merriam, *The American Party System*, Ch. IX (rev. ed. 1929); and W. B. Munro, *Government of American Cities*, Ch. VI (1920).

CHAPTER XI

NATIONAL CONVENTIONS

Constitution on choice of a President

AS ORIGINALLY adopted, the Constitution of the United States devoted less than one hundred words to the method of choosing a President. It was the sincere hope of the Fathers that parties would play no part in the process thus briefly formulated, but rather that men of high standing and wide vision would be appointed presidential electors and left free to select from among the country's greatest statesmen the one best fitted to be chief magistrate. Within ten years this hope proved a delusion. Presidential electors came to be bound rigidly by party ties, and in 1804 the Twelfth Amendment was made necessary in large part by this unforeseen development. At the present time the perfunctory nature of their duties is so well understood that it has become a current jest. Presidential electors are flippantly referred to as "puppets," "political dummies," "animated rubber stamps," "ornamental figure-heads," "mere cogwheels in the machine," "marionettes in a Punch and Judy show." One distinguished authority has even dared to compare the Electoral College itself to the vermiform appendix in the human body.¹

Three steps provided

Even with the addition of the amendment the Constitution tells us comparatively little of the actual process of President making. It does provide for three steps: (1) the choice of electors; (2) the voting by electors; and (3) the counting of the votes. Of these, however, the second and third have become mere formalities, while the first is preceded and determined by an enormous amount of party effort culminating in the national conventions and continued at white heat throughout the subsequent campaign. And until quite recently the structures and forces engaged in this work were outside the purview of the constitution and the laws, having been developed solely under party rules and traditions.

The first formal steps preliminary to the national conventions of the two great parties are taken at meetings of their respec-

¹ H. W. Horwill, *The Usages of the American Constitution*, p. 40.

tive national committees in January of a presidential year or in December of the preceding year. Usually the sessions of these committees are held in Washington to meet the convenience of members holding congressional or other federal offices. The principal matters of business coming before the meetings are (1) fixing the date for opening the national convention; and (2) choosing the city in which it is to be held. Also each committee issues a more or less formal call for the convention signed by its chairman and secretary.

Steps preliminary to national conventions

During the last four decades the Republicans have fixed dates falling between June 7th and 21st of the presidential campaign year for the opening of their convention, the Democrats following with dates from one to three weeks later. In 1888 the Democratic convention was held two weeks earlier than the Republican. With this one exception the national convention of the Republican party has preceded that of the rival party in every campaign year from 1864 to 1932 inclusive. The course pursued by the former is bolder and gives it the somewhat dubious advantage of a longer campaign period. By their more cautious policy the Democrats stand to profit from any errors or omissions occurring in the convention of their adversaries.

Convention dates

Before deciding upon the place for holding the convention the National Committee gives a hearing to delegations of prominent politicians and business men coming from all the cities which desire that honor. Spokesmen chosen by each of these delegations recite in glowing terms the advantages they have to offer. Immunity from the heat common to other American cities in June and July was promised by one orator on an occasion of this character for the very good reason, as he averred, that "we do not keep that kind of weather." Members of the committee are, of course, not moved by such elocutionary effervescence. They are intent upon the solid advantages offered by large cities located as near the center of population as possible, and possessing adequate hotel accommodations, excellent railway connections with all sections of the country, and an auditorium colossal enough to seat delegates, alternates, and the vast crowds which flock to the sessions of the convention. It is desirable that the place chosen should not be hostile to any of the more prominent aspirants for the presidential nomination, and that it should possess newspapers of large circulation favorable to the party cause.

Choice of convention city

Political influence upon a doubtful section or pivotal state may be considered. Finally, but by no means least in importance, is the size of the financial guaranty toward the expenses of the convention or the party funds offered by each of the competing cities. "Money talks," it is said, and large sums have been pledged for such purposes, contributed mainly by hotel keepers and other business men who expect to reap a profit from convention crowds. San Francisco, although far from the center of population, secured the Democratic convention of 1920 not so much by the glories of the California climate as by a contribution of \$125,000.² In 1928, Houston, Texas, was chosen by the same party largely, it is alleged, because of the generous offer of a local financier to pay off the indebtedness of the party inherited from 1924. Chicago won both conventions in 1932, after close bargaining in which each party received much the same concessions.

Cities
chosen
since 1864

Prior to the Civil War Baltimore was the favorite national convention city. But with the western movement of population Chicago has distanced all competitors. From 1864 to 1932, inclusive, fifteen conventions, ten Republican and five Democratic, have been held in that city. St. Louis ranks second with one Republican and four Democratic conventions, and Baltimore third with one Republican and two Democratic conventions during the same period. Other convention cities since 1864 are as follows: Philadelphia, two Republican conventions; Cincinnati, Kansas City, and New York, one Republican, one Democratic each; Minneapolis and Cleveland, one Republican each; Denver, San Francisco, and Houston, Texas, one Democratic each. The most surprising choices of recent years, largely determined by financial considerations, were made by the Democrats who, as noted above, went to San Francisco in 1920 and to Houston in 1928. Apparently the tendency to seek a central location is less strong than formerly, one explanation being that with lower rates for airplane travel distance can be disregarded.³

Included in the call for the convention issued by the Demo-

² For a frank and detailed discussion of all points involved in the choice of a convention city by the Democratic National Committee, Jan. 8, 1920, see the *Official Report of the Democratic National Convention*, 1920, appendix, pp. 548-566.

³ See interview with Bascom Slemple, National Republican Committeeman from Virginia, in the *Philadelphia Bulletin*, September 4, 1931.

cratic National Committee is a statement of the number of delegates to which each state and territory is entitled. The Republican call goes into somewhat greater detail prescribing in general terms the process by which and the period of time within which delegates are to be chosen, the method of forwarding their credentials to the secretary of the National Committee, and also outlining procedure in the case of contesting delegations.

Call for
the con-
vention

In state and local conventions, as has already been noted, the general rule is to apportion delegates among the districts according to the strength of the party vote in each. Until a quite recent date, on the other hand, apportionment of delegates to national conventions has been based upon the size of the total representation of each state in Congress. Prior to 1852 the number of delegates to national conventions from each state was usually equal to the number of its Senators and Representatives. From 1852 to the present time in the case of the Democratic party, and from 1860 to 1916 in that of the Republican, the number of delegates has been twice that of the total congressional representation of each state. From 1852 to 1872 each delegate in Democratic conventions had one half vote. Since 1872 in Democratic conventions and since 1860 in Republican conventions each delegate has had one vote. Occasionally, however, fractional or "sawed-off" ballots are recorded. This is due either to the fact that contesting delegations from the same state are seated, or to the practice, too common among southern Democrats, of sending more persons as delegates than the state's quota. More recently the habit has grown up of choosing four men and four women delegates-at-large from each state, giving a half vote to each such delegate. Half and even quarter votes do not appreciably delay computation but fractions with such irregular denominations as 17 are another matter. In the third ballot for the Democratic presidential choice at Chicago in 1932 there were even a few cases of decimals running into hundredths of a vote. In addition to the delegates from the states there were in the Democratic national convention of 1932 six delegates from each of the following: Alaska, District of Columbia, Hawaii, Philippines, Porto Rico, and the Canal Zone; and two from the Virgin Islands. The present rule of the Republican party with regard to delegates from the District of Columbia and outlying possessions will be found below.

Apportion-
ment of
delegates

Dispropor-
tionate
representa-
tion of the
South in
Republican
conven-
tions

If party strength were distributed equally throughout the country the traditional rule of two national convention delegates for each Senator and Representative in Congress would have worked satisfactorily. But such was far from being the case, particularly with the Republican party. For example, in the 1912 convention of that party, Georgia, which had cast only 41,692 Republican votes in the preceding presidential election, was entitled to twenty-eight delegates, whereas Iowa with 275,210 Republican votes in 1908, was entitled to only twenty-six delegates. Similarly, four other southern states—Alabama, Louisiana, Mississippi, and South Carolina—with a total Republican vote of 42,592, had eighty-two delegates, while Pennsylvania with a Republican vote of 745,779 had only seventy-six.

Reform
proposals

This monstrous disproportion was made all the more glaring by the fact that the states favored under it were almost never found in the Republican column when the electoral vote was counted. And the practical danger of the situation was enhanced because of the notorious subservience of southern Republican delegates to Republican administration influence in Washington or to corruptionists acting in the interests of certain candidates. As early as 1883, the matter came up for discussion before the Republican National Committee. In 1900, Senator Quay of Pennsylvania, whose name is not usually associated with reform projects, offered a well-digested plan for reapportionment.⁴ It was opposed on the ground of the seeming importance of maintaining the party organization and encouraging party workers in southern states. Nothing was done, with the result that the traditional rule continued in effect until 1912, adding greatly to the bitterness of the Republican split of that year.⁵

Changes
of 1913,
1921, and
1923

In 1913 a tardy measure of reform was introduced, the principal feature of which was the reduction of the number of delegates from two to one in each congressional district in which the Republican vote was less than 7,500. As a result eleven southern states lost seventy-nine delegates. At a meeting of the Republican National Committee, held June 8, 1921, a further measure of reform was adopted in accordance with which it was

⁴ J. A. Woodburn, *Political Parties and Party Problems in the United States*, p. 162. Quay's real purpose, however, was to compel Hanna to give way on certain points. Cf. H. F. Pringle, *Theodore Roosevelt*, p. 222.

⁵ E. Stanwood, *History of the Presidency*, vol. ii, p. 241.

estimated that twenty-three additional southern delegates would have been dropped from the rolls.⁶ But on December 12, 1923, before this measure had been tried out, the National Committee backwatered, adopting the following basis of apportionment which governed the Republican convention of 1924 and is still in effect:

(a) *Delegates at Large*

1. Four from each state.
2. Two additional for each representative at large in Congress from any state.
3. Two each for Alaska, District of Columbia, Porto Rico, Hawaii, and the Philippine Islands.
4. Three additional from each state casting its electoral vote, or a majority thereof, for the Republican nominee for President in the last preceding presidential election.

(b) *District Delegates*

1. One from each congressional district.
2. One additional from each congressional district casting 10,000 votes or more for any Republican elector in the last preceding presidential election or for the Republican nominee in the last preceding congressional election.

As the net result of these somewhat confusing changes the number of southern delegates in 1924, while still considerably lower than in 1912, was actually somewhat higher than in 1916 or 1920. Relatively, however, the South was slightly weaker than ever before owing to the clauses in the above rule (a4, b2) favoring states and districts, mostly northern, of course, which had gone Republican or cast a fairly heavy Republican vote. On the other hand Hoover's amazing success in breaking the "Solid South" in 1928 was reflected by an increased number of delegates from that section in the Republican convention of 1932. In spite of all the changes noted above the fact remains that Republican voters in the South are still enormously over-represented in the national convention of their party. Thus North Carolina, which cast only 348,992 votes for Hoover in 1928 had 25 delegates in the Republican convention of 1932, as compared with 27 for Iowa which gave Hoover 623,818 votes. Finally, the net result of the changes referred to above was to

Result of
changes

⁶F. M. Davenport, "Republican Revulsion against the Rotten Borough," *Outlook*, vol. cxxv, p. 416 (June 30, 1920).

bring the Republican convention up to approximately the same size as the Democratic. Down to and including 1920 the latter was larger by more than a hundred delegates; in 1924 the Republican convention actually numbered eleven more delegates than the Democratic; in 1928 the preponderance changed sides by exactly the same number; while in 1932 each convention had exactly the same number of delegates, namely 1154.⁷ It would be difficult to cite a more striking illustration of the tendency of rules in both major parties of the United States to work out to the same conclusion.

Choice of
delegates
by direct
pri-
maries

Changes of some importance have also been made during recent years in the method of electing delegates to national conventions. During the first decade of the century, as we have noted, the direct primary election system was making rapid progress throughout the country. The success attending it was such that efforts to extend it to presidential nominations were inevitable. Here again Oregon was the leader, a project brought forward by the People's Power League of that state being adopted by referendum vote in 1910. In the ensuing five years, twenty-one states followed the example of Oregon.⁸ So rapid was the progress of the movement that ten states had enacted laws in time to govern the choice of their delegates to the national convention of 1912. Four years later more than half the delegates were chosen under this plan. Since the presidential campaign of 1916,

⁷ Exact figures for the years referred to are as follows:

NUMBER OF DELEGATES IN NATIONAL CONVENTION

Party	Year				
	1916	1920	1924	1928	1932
Republican.....	985	984	1109	1089	1154
Democratic.....	1094	1094	1098	1100	1154

⁸ The list with dates is as follows: Oregon, 1910; California, Nebraska, New Jersey, North Dakota, and Wisconsin, 1911; Illinois, Maryland, Massachusetts, Michigan, Montana, and South Dakota, 1912; Iowa, Minnesota, New Hampshire, New York, Ohio, and Pennsylvania, 1913; Indiana, North Carolina, Vermont, and West Virginia, 1915. Permissive laws were enacted also in Alabama, Florida, and Georgia. See *Am. Yr. Bk.*, 1919, p. 229.

however, there have been no further efforts to introduce presidential preference primaries. Indeed, a strong reaction has set in and seven states have already repealed their laws on the subject.⁹ In the convention of 1928, 456 out of 1100 Democratic and 502 out of 1089 Republican delegates were chosen under mandatory presidential primary laws. Fifteen states still had mandatory presidential primaries in 1932; three other states had laws which left them to the option of the party state committee.¹⁰

Presidential preference primary laws fall into three groups. First there are the laws of states like New Hampshire and South Dakota, which made no provision for the people to vote directly on presidential candidates, but which did provide for the choice of delegates to national conventions in direct primary elections of the usual type. Candidates might or might not be pledged on the ballot to support a given candidate for the Presidency at the convention. In Ohio candidates for delegates were required to express a first and second choice for the Presidency. Second, there were laws which provided, as in Iowa and Minnesota—now repealed—for a popular vote on various aspirants for the presidential nomination, without, however, attempting to make the result of this vote binding upon delegates. Third, there were the laws of states like Ohio and Pennsylvania, which provided not only for a popular vote on presidential candidates, but also for some means whereby the choice so expressed might be made binding upon delegates.

Presidential preference primaries

In their methods, presidential preference primaries present no features differing essentially from ordinary direct primary elections. To place the name of an aspirant for the Presidency on the primary ballot a petition with one thousand signatures is usually required. This is low enough not only to be within the reach of every favorite son, but also of mere cranks. In some states aspirants for the Presidency are relieved from the requirement imposed upon ordinary candidates of filing an affidavit in connection with their nomination papers.

Petitions

Immediately upon their introduction presidential preference

⁹ Iowa and Minnesota, 1917; Vermont, 1921; Montana, 1924; North Carolina, 1927; Indiana, 1929; and Michigan, 1931.

¹⁰ The fifteen states with mandatory laws are California, Illinois, Maryland, Massachusetts, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, West Virginia, and Wisconsin; with optional laws, Alabama, Florida, and Georgia.

Defects of
presiden-
tial pri-
maries

primaries developed numerous defects, some the result of hastily drafted laws, others due to conflict with the national convention and with state conventions where the latter were retained. As in the case of instructed delegates formerly, the question was raised with regard to delegates pledged under the new system as to how long they were obligated to vote in the convention for the candidate to whom they had bound themselves. In 1912, Roosevelt lost the preferential vote of Massachusetts by a small margin, but owing to the dispersal of Taft's strength among too many candidates Roosevelt's candidates for delegates at large were elected.¹¹ During the same campaign the Democratic state convention in Ohio attempted to apply the unit rule to the entire state delegation in favor of Harmon. District delegates who had been chosen on the strength of their pledges to Wilson carried the fight to the floor of the Baltimore convention, and won. California and South Dakota provided for the election of delegates on a general ticket, thus virtually establishing the unit rule for both parties, but the Republican National Convention of 1912 refused to acknowledge the power of a state law as against its own rules.

Abolition
of national
conven-
tions

As the result of these and other difficulties it became apparent that attempts at state regulation in so vast a field were inadequate. National conventions felt free on occasion to refuse to be bound by them. Only by uniform federal regulation could the problem be solved. And regulation of this character would have to meet not only the opposition of the states' rights element, but also innumerable difficulties due to local and sectional differences. The plan much discussed about 1912 for the abolition of national conventions and the nomination of presidential candidates by a nation-wide direct primary is large enough to stagger the imagination. One detail of it alone presents very great, if not insuperable, difficulties, namely the provision of a uniform rule for determining affiliation with a national party as distinct from existing state tests of affiliation.¹²

¹¹ For Roosevelt's attitude in this situation, see W. D. Lewis, *Life of Theodore Roosevelt*, p. 348.

¹² For more detailed criticisms of the presidential preference primaries, see A. N. Holcombe in *Am. Yr. Bk.*, 1912, p. 63; P. O. Ray, "Reform of Presidential Nominating Methods," *Annals American Academy*, vol. cvi, pp. 63-71 (March, 1923); F. M. Davenport, "Failure of the Presidential Primary," *Out-*

In his annual message of December 2, 1913, President Wilson urged the prompt enactment of legislation to provide for primary elections throughout the country at which the voters of the several parties might choose their nominees for the Presidency without the intervention of nominating conventions. He favored the retention of conventions, "but only for the purpose of declaring and accepting the verdict of the primaries and formulating the platform of the parties." A further striking innovation was suggested to the effect that "these conventions should consist not of delegates chosen for this single purpose, but of the nominees for Congress, the nominees for vacant seats in the Senate of the United States, the Senators whose terms have not yet closed, the national committees, and the candidates for the presidency themselves, in order that platforms may be framed by those responsible to the people for carrying them into effect."¹³ During the following year a number of bills were introduced into Congress providing for a uniform nation-wide presidential primary, for the regulation, and even for the abolition of the national conventions.¹⁴ None of these passed, and subsequently, due to the war and to the defects developed not only by the presidential preference primaries but by state-wide primaries as well, popular interest in the subject seems to have lapsed.

Reform
suggested
by President
Wilson

As far as practical results are concerned, presidential preference primaries seem to have exerted a marked effect in not more than two of the six national campaigns during which they were used. Although employed in ten states only in 1912, they revealed the popular sweep of the Roosevelt movement in a startling way, which materially strengthened his position at Chicago, although it did not enable him to control the convention. It was due to this fact, no doubt, that a number of states introduced presidential preference primaries in the years immediately following. Owing to the peculiar circumstances of the campaign of

Practical
results of
presiden-
tial pri-
maries

look, vol. cxii, p. 807 (1916); and F. W. Dickey, "Presidential Preference Primary," *American Political Science Review*, vol. ix, pp. 467-487 (1915).

¹³ New Jersey state conventions have been of this type since 1911.

¹⁴ For details and criticisms of the Ferris National Presidential Primary bill and other bills on the same subject introduced in 1914, see *Ann. Yr. Bk.*, 1914, p. 68. Cf. W. D. Lewis, *op. cit.*, chap. xiii. For the presidential preference vote of various states in 1912, see table given by E. Stanwood, *History of the Presidency*, vol. ii, p. 239.

1916, however, they had little, if any, effect on the situation. President Wilson was unopposed on the Democratic side; Roosevelt forbade his friends to make any contest for him, and Hughes, as a member of the Supreme Court, was not in a position to enter upon an active campaign. A few favorite sons secured indorsements in the presidential preference primaries of their own states, but this meant nothing. Again in 1920 the results of the preferential primaries were too scattering to count for much. On the Republican side the total popular vote of various candidates was approximately as follows: Johnson, 900,000; Wood, 725,000; Lowden, 375,000; Hoover, 350,000; while Harding, who was successful in the end, received only 150,000.¹⁵ The sums of money used by some of the aspirants were sufficiently large to prove that the cost of fighting presidential primaries in any considerable number of states is beyond the resources of any but millionaire candidates, or candidates supported by groups of millionaires.¹⁶ In 1924 Coolidge swept the Republican primaries but his nomination was certain in any event. The Democratic convention of that year turned into a long-drawn-out duel between the leaders in the primaries. In the end Davis, a dark horse who had not even been entered in them, received the nomination. In 1928 Hoover's impressive primary victory helped to bring about his nomination; on the Democratic side Smith was the overwhelming choice of the primaries. Of course the renomination of Hoover in 1932 was a foregone conclusion. Franklin D. Roosevelt's success in the primaries of that year placed him well in the lead for the Democratic nomination but it was made certain only by a bargain with one of his competitors who received the vice-presidential nomination.

Future
use of
presiden-
tial pri-
maries

With this record of futility and of the excessive, not to say corrupt, use of money behind them, it is not surprising that seven states have repealed their presidential preference primary laws. There would seem to be no reason, however, why delegates to national conventions should not be chosen in direct primary elections and required to state, for printing on the ballot, the names of their first and second choices for the Presidency. Though

¹⁵ C. E. Merriam, *The American Party System*, p. 291.

¹⁶ On the campaign costs of the presidential preference primaries prior to the Republican national convention of 1920, see A. W. Page, "The Meaning of What Happened at Chicago," *World's Work*, vol. xl, pp. 361-377 (Aug., 1920).

bristling with difficulties, the problem of applying direct primary methods to presidential nominations is not insoluble.¹⁷

Long before delegates are chosen the backers of the principal aspirants for the presidential nomination are busy in every section of the country where they hope to gain support.¹⁸ The friends of a "favorite son" are particularly anxious to line up behind him a solid delegation from his own state. "Logical candidates," or candidates with a nation-wide following, sometimes defer to this natural inclination, meanwhile seeking to secure the second choice of favorite-son delegations in their own interest. At times state bosses allow delegations to be pledged to local party luminaries, intending to use the latter merely as "dummy candidates." The "dummy" may be quite sincere, indeed he may be the only person ignorant of his intended fate. At the appointed time he will be sacrificed relentlessly, the bosses meanwhile having made the best possible bargain for the transfer of his votes to a more promising aspirant.

"Favorite sons,"
"logical candidates,"
"dummies"

As returns come in from the various primaries throughout the country, the newspapers publish estimates, corrected from day to day, of the strength each candidate will develop in the convention. In some cases the nomination is thus virtually assured in advance. This was true of McKinley in 1896 and 1900; of Roosevelt in 1904, of Taft in 1908, of Coolidge in 1924, and of Hoover in 1932. On the Democratic side the two-thirds rule makes prognostication more difficult, but in 1916 Wilson's nomination was a foregone conclusion. More commonly, however, it is impossible to tell who will be the successful nominee even after all the delegates are chosen. Some of them are not definitely pledged and refuse to disclose their preference until the first ballot is taken. Meanwhile the newspapers vie with one another in discussing

Popular interest in presidential candidacies

¹⁷ For an admirable statement of the difficulties, see C. E. Merriam, *op. cit.*, pp. 289-298. R. S. Boots presents a comprehensive survey of the subject with proposals for reform in "The Presidential Primary," supplement to the *Nat. Mun. Rev.*, vol. ix, no. 9 (Sept., 1920). The best recent study of the subject is B. W. Patch, "Decline of the Presidential Primary," in *Editorial Research Reports*, vol. i, no. 9 (March, 1932).

¹⁸ Cf. H. Croly, *Marcus Alonzo Hanna*, ch. xiv, for an excellent detailed account of the work on behalf of McKinley prior to the Republican convention of 1896. H. M. Daugherty is even more explicit on the pre-convention campaign for Harding in 1920; see his *Inside Story of the Harding Tragedy*, chs. ii to v inclusive.

presidential possibilities, and the most intense popular interest is manifested in the outcome.

Principal
types of
national
delegates

As by far the most important body known to the American party system, particular interest attaches to the make-up of a national convention. Election as delegate at large is coveted as an especial distinction, owing to the fact that such offices represent the party in an entire state and are relatively few in number. Usually these posts are reserved for the United States Senators, the governor, the state boss, and possibly one or two of the most important party leaders in the state.¹⁹ A large number of the district delegates also are either county or city leaders or their most dependable lieutenants. In conventions of the party in power federal office holders always form a considerable element and sometimes play an important part in compelling the convention to give heed to the wishes of the President either as to a re-nomination or as to the choice of his successor. Both President Hayes and President Cleveland issued executive orders forbidding this practice, but it has continued, nevertheless. Of course, officers of the civil service are debarred from such activities. In no particular is actual party practice more clearly at odds with the spirit of the Constitution, which in Art. II, Sec. 1 provides that "no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector." At present the function of a presidential elector is nominal, but that of a delegate is far from being so. On other than constitutional grounds the impropriety of this practice is manifest. Much of the bitterness of the Taft-Roosevelt struggle of 1912 was due to the activities of the administration element in the Republican national convention of that year. Yet the practice continues and while there was never any doubt as to the outcome it played no small part in the Republican convention of 1932.

Other
elements in
national
conven-
tions

Among other elements represented in national conventions business men are occasionally put forward out of gratitude either for past contributions to party funds or in lively expectation of similar favors to come. Although not business men in the ordinary sense, some of the politicians in the convention are there in the interest of great corporate concerns. At times bosses and leaders,

¹⁹ On the strength of the senatorial group in the Republican national convention of 1920, see F. M. Davenport, "Conservative America in Convention Assembled," *Outlook*, vol. cxxv, p. 375 (June 23, 1920).

knowing themselves to be too unpopular to contest for delegations, step aside and allow prominent citizens of good party standing, but not too closely affiliated with the party machine, to be chosen. Of course, the latter may prove to be mere figureheads, and in any event are at a disadvantage in the convention, owing to lack both of experience and of a definite following. A few places are reserved for distinguished ex-Senators, former ambassadors, or other party "Nestors"; and there is a thin sprinkling of writers and journalists, orators, college professors and presidents. From the southern states a considerable number of Negro delegates are sent to Republican national conventions, usually under the careful supervision of federal office holders.

It is undeniable that elements representing the organization brand of politics and interested chiefly as office holders or office seekers are too largely in evidence at national conventions. Of course it happens at times that a machine may be badly beaten in the primaries of a given state, resulting in the election of delegates of unusual independence and of progressive ideas. And in every convention a certain influential proportion of the delegates stand out as interested in the determination of party policies rather than in the division of the loaves and fishes. Of recent years women have been elected delegates to national conventions in increasing numbers. In 1932 there were 85 women delegates in the Republican national convention out of a total of 1154. (See official roll of the convention, pp. 50-80, *Proceedings of the Twentieth Republican National Convention*, 1932. The proceedings of the Democratic convention of that year have not yet been published.)

Organiza-
tion and
independ-
ent dele-
gates

Although now chosen largely in official primary elections, delegates to national conventions are purely party officers and as such receive no salaries. Nevertheless, they must meet heavy expenses for transportation and hotel accommodations. For a time two states recognized the public character of their work and provided payment for attendance.²⁰ It is to be feared that those delegates needing "help" to go to the convention seldom fail to find it. Probably it is obtained in most cases from the campaign fund of the candidate of their choice. In recent conventions which have been prolonged by deadlocks the practice has

Expenses
of dele-
gates

²⁰ Minnesota law of 1913, repealed 1917; Oregon law of 1910, repealed 1915. In 1923 North Dakota appropriated \$4000 for this purpose.

developed of looking to candidates for the payment of the excess thereby occasioned in the hotel bills of delegates.

Special
trains and
head-
quarters

Ordinarily each state delegation travels in a body to the convention, using a gayly decorated special car or train for the purpose. Of recent years wets have sometimes gone in one special, drys in another. There is, of course, much caucusing and con-fabulation *en route*. Arrived in the convention city, they take up quarters together which have been reserved for them months in advance at some conveniently located hotel.

Opening
of the
convention

For a week or ten days prior to the date fixed for the opening of the convention the national committee is in session arranging various preliminaries, of which the most important is the preparation of the temporary roll of the convention. At the appointed hour and day the chairman of the committee calls the convention to order. Prayer is then offered by some clergyman of prominence. A similar invocation is made at the beginning of each day's session—ministers being chosen from as many of the larger denominations as possible. Following the prayer the official call for the convention is read by the secretary, and the chairman of the national committee proposes the name of the person selected by the committee to act as temporary chairman.

Tem-
porary
chairman

It is in choosing the incumbent of this office that the convention first finds its voice. If there is no storm brewing the selection of the committee is ratified without question and the temporary chairman thereupon delivers a "keynote" speech which he has carefully prepared in advance. If, however, some large element of the convention feels that the nominee of the committee is hostile to its interests it may place another candidate in the field. The ensuing vote then becomes a test of strength which may forecast all the subsequent decisions of the convention. Thus in 1896 the Democratic National Committee placed a "gold" man in nomination, but the convention substituted a "silver" man. In the Republican convention of 1912 Root, whose name was proposed by the National Committee and who had the backing of the Taft forces, was challenged by McGovern, the candidate of the LaFollette group, who also received the support of the Roosevelt delegates. On the basis of the temporary roll the vote was 558 for the former and 501 for the latter. Perhaps the most spectacular battle over a temporary chairman was that waged by Bryan against Alton B. Parker at the Democratic

convention of 1912. Parker was chosen but the line-up for and against had much to do with the defeat of Champ Clark and the victory of Wilson in the later struggle over the presidential nomination.²¹

Next in the order of business is the appointment of the four great committees of the convention; namely, the committees on rules and order of business, on permanent organization, on credentials, and on platform and resolutions. This is accomplished by calling the roll of the states, each state delegation responding by naming one of its members for each of the committees. Of the four committees the first two named above are ordinarily of slight importance. Unless some faction in the convention sees a chance to gain an advantage by introducing a change in the rules and order of business, the committee of that name reports in favor of following the methods of the preceding national convention of the party.²² As to the order of business, the usual program is (1) reports of committees, (a) on credentials, (b) on permanent organization, (c) on platform and resolutions; (2) nominations first of the candidate for President, and second for Vice-President; (3) miscellaneous motions and resolutions.

The four
great com-
mittees

If there are few contests among the delegates the work of the committee on credentials may amount to little more than the approval, possibly with a few changes, of the temporary roll as prepared by the National Committee. Given a large number of contests, however, particularly when two or more presidential candidates are of substantially equal strength, it is evident that the composition and work of this committee may decide the outcome of the convention. Thus in the Republican national convention of 1912 there were 210 nominally contested seats out of a total of 1,078. Only 102 of these were brought before the National Committee and with regard to 40 of these there was no minority report. So closely were the lines drawn between the Taft and Roosevelt forces, however, that the remaining 62 amounted to more than a balance of power. The committee on credentials wrangled over its report during the whole of the

Contests

²¹ A vivid account of this spectacular incident is given by M. R. Werner, *Bryan*, p. 179 *et seq.*

²² Thus in the Republican convention of 1880 the efforts of Conkling, leading the Grant forces, to introduce the unit rule made the action of the committee on rules of extreme importance. Cf. J. B. Bishop, *Presidential Nominations and Elections*, chap. xi.

third day of the convention, and the fight over the report occupied the convention during the fourth and part of the fifth day. It is not necessary to go into the bitter accusations made by Roosevelt and his followers, first, against the temporary roll as prepared by the National Committee, then against the decisions of the committee on credentials, and finally against its acceptance by a vote participated in by delegates whose seats were in question.²³ Suffice it to say here that with the acceptance of the report of the committee on credentials further resistance by the Roosevelt forces was recognized as futile.

Perma-
nent or-
ganization

With this important business out of the way the committee on permanent organization makes its report, nominating a permanent chairman and other officials to hold office for the remainder of the convention. Here again disgruntled factions may start a fight against the committee's report, although this is less likely to occur than in the case of credentials. Upon the choice of the permanent chairman he is escorted to the platform and the convention is again regaled with a "keynote" speech.

Platform
and reso-
lutions

Meanwhile the committee on platform and resolutions has been hard at work listening in rapid succession to representatives of business interests, of agriculture, of labor, of the professions, of women's organizations, of reform associations, of wets and dries, of oppressed nationalities, and the like. Rarely, however, is the platform as a whole left to be drafted on the spur of the moment. Sometimes a distinguished leader of the party is requested long in advance to prepare a draft to be submitted to the committee. If the party is in power at Washington the President is, of course, consulted with regard to every plank of importance.

Republi-
can ad-
visory
committee
of 1920

In spite of all preliminary work that may have been done upon them, platforms leave much to be desired. The most ambitious attempt that has yet been made to correct deficiencies and insure thoroughness in formulating party issues was inaugurated in 1920 by Will H. Hays, chairman of the National Committee of the Republican party, who appointed a large advisory committee on policies and platform. In order to develop the best-informed opinion of the country this committee prepared and circulated widely among students of public affairs exhaustive questionnaires dealing with such subjects of current

²³ Cf. E. Stanwood, *op. cit.*, vol. ii, pp. 241-245; J. B. Bishop, *op. cit.*, chap. xiii, on "The Steam-roller Convention."

importance as the high cost of living, immigration, industrial relations, merchant marine, social problems, and federal taxation. The experiment was an interesting one but it does not appear that the large mass of information collected by the advisory committee received much attention in the course of the necessarily hurried deliberations of the committee on platform and resolutions.²⁴ Subsequent efforts along the same line have been less elaborate and even less successful. Thus in 1931 John J. Raskob, chairman of the Democratic National Committee, circulated questionnaires to ascertain the views on prohibition of contributors to the campaign fund of 1928, his purpose being to use the information thus secured in formulating the platform of 1932. Naturally he was criticized vigorously by his colleagues of dry proclivities. The fact is that conventions are jealous of their prerogatives; they regard themselves as the ultimate party authority both in making nominations and in formulating issues. As to the latter, of course, the conventions are inclined to manifest their feeling only over a few of the more important or the more contentious issues; nevertheless, the feeling is there and must be reckoned with by the national committee and its officers. Also the formulation of issues in advance of the convention may conflict with the interest of certain candidates, factions or sections of the country, thus arousing opposition. Nevertheless, when the Democratic convention finally came together in 1932 it went far beyond the proposals made by Raskob a year earlier in regard to prohibition.

Not infrequently sharp opposition develops within the platform committee on important questions of policy. Particularly is this likely to be the case when a powerful group is struggling to commit the party to a new stand, as in 1896, when the Republican party accepted a gold standard plank on the currency. At times, as, for example, with the silver plank in the Democratic convention of the same year, the committee is unable to agree on the question at issue, with the result that majority and minority reports are submitted by it to the convention.²⁵ In either event the matter is fought out on the floor of the convention immediately

Majority
and
minority
reports

²⁴ For details regarding personnel and work of the advisory committee, see the *Republican Campaign Text-Book*, 1920, pp. 482-485.

²⁵ E. Stanwood, *op. cit.*, vol. i, p. 546. Further illustrations in recent party history are discussed in chaps. v and vi above.

after the committee's report is presented. Of recent years the most frequent cause of such controversies has been the prohibition issue. Thus in the 1932 conventions of both the major parties there were majority and minority reports of varying degrees of wetness, the former being adopted in each instance. Next to sharply contested nominations the controversies on the floor of the convention over platform planks arouse the greatest interest throughout the country.

Platform
style

Viewed as specimens of the art of political writing, the platforms of the two great parties follow exactly the same model. The style is stilted rather than dignified, insufferably verbose and dull for the most part, yet rising at times to declamatory and denunciatory vehemence. Words of ingratiating sound but of indefinite meaning abound: "just," "liberal," "adequate," "safe," "sane," "reasonable," "sound," "well-proportioned," "honest," "fearless," "wise," "fundamental," "progressive." In spirit platforms are banal, smug, self-righteous. The errors of a party are never confessed; at most attention may be directed *in extenso* to difficulties encountered in realizing its policies, for which, of course, the opposition is to blame. Both parties celebrate their illustrious leaders, their glorious traditions. The party temporarily in power "points with pride" to a long list of epoch-making recent achievements; the party temporarily out of power "views with alarm" the same list, conceived as leading inevitably to national downfall and dishonor. Considered as documents for popular consumption, platforms are much too long; moreover, they have been growing recently at a pace too rapid to be maintained indefinitely. Thus the national platforms of the two major parties for 1912 and 1916 were twice as wordy as those of the 'seventies of the preceding century. By 1928 the competition in verbosity resulted in Republican and Democratic documents containing 7200 and 6000 words respectively. Four years later the vicious tradition was broken by the Democrats who managed to confine their meaning within a so-called "tabloid" platform of less than 1600 words. Meanwhile, the Republican platform of 1932 which was published two weeks earlier goes on and on and on to a total of 8500 words, which may well remain a record for all time.

Platforms
as pro-
grams

Criticism of literary defects is of small moment, however, in comparison with criticism leveled against platforms as programs for future political action. At times planks are inserted

that are sheer evasions. If there are two factions in the party it may be possible to hold them together by adroitly "straddling" the issues which divide them—thus "working both sides of the street," as the politicians phrase it. Or a troublesome controversy like that between the "wets" and "drys" may be met by maintaining a discreet silence. Even with regard to the policies which the party favors there are nice distinctions of attitude. Thus a purist in language might find it difficult to distinguish between the exact degree of commitment implied by the following typical platform phrases: "the party expresses sympathy with," "believes in," "approves," "commends," "recommends," "favors," "advocates," "endorses," "stands for," "demands," "urges," "pledges."

In a natural but somewhat extreme reaction of disgust a distinguished foreign critic declared American party platforms to be "only a farce—the biggest farce of all the actions of this great parliament [*i.e.*, convention] of the party. . . . The sole object of the platform is, in the present day, as formerly, to catch votes by trading on the credulity of the electors."²⁶ A more philosophic view would recognize that most of the platform evasions and straddles are a necessary consequence of our two-party system.²⁷ Such a view would also take into account those instances, as in 1896, 1912, 1920, and 1932, when real issues of major importance rose between the great parties. Confusion of public opinion as well as political self-seeking may be responsible for "pussy-footing" platforms. For example, in 1928 sentiment on prohibition was still highly divided; as a result, both parties took refuge in planks praising the Constitution and pledging enforcement of the Eighteenth Amendment. Thereupon Alfred E. Smith, the Democratic candidate, sent a telegram to the Houston convention stating his conviction that fundamental changes were needed and pledging his leadership in pointing the way to "a sane, sensible solution." Even as late as 1931 when the Wickersham report on the *Enforcement of the Prohibition Laws of the United States*²⁸ made its appearance, public opinion was still far from

Signifi-
cance of
platforms

²⁶ M. Ostrogorski, *Democracy and the Organization of Political Parties*, vol. ii, p. 261.

²⁷ See this book, chap. vii.

²⁸ House Document No. 722, 71st Congress, 3d Session.

decisive. Nevertheless, so rapidly did the wet tide rise thereafter that in June of 1932 both parties advanced far beyond the positions taken in the previous campaign, while drys protested that "the Eighteenth Amendment had been murdered in plain view and apparently with the enthusiastic and almost unanimous consent of the country."²⁹ All things considered, therefore, platforms are defective in many ways; nevertheless, they reveal political tendencies of undoubted significance and hence deserve careful scrutiny by voters and students.

Utterances
of candi-
dates

Platform pronouncements are sometimes modified or supplemented by the utterances of candidates. An unprecedented instance of this sort occurred in 1904 when Judge Alton B. Parker, the Democratic nominee, telegraphed the convention before its adjournment unqualifiedly stating his adhesion to the gold standard, an issue on which the party platform was silent.³⁰ Also in 1928, as noted above, Alfred E. Smith, the Democratic candidate, sent a telegram to the convention stating his personal position on prohibition.³¹ As a rule, however, the candidate waits until the notification ceremonies or even later in the campaign to make known his specific views. Taft's action following the Republican convention of 1908, Wilson's espousal of the Adamson Act late in the campaign of 1916, and Hoover's change of front on prohibition in 1932, are cases in point.³²

Speeches
or letters
of ac-
ceptance

In this connection particular importance is attached to the candidate's speech or letter of acceptance. As a rule the latter consists largely of a reaffirmation of the various planks making up the party's platform. If, however, it introduces modifications or additions of importance, the speech or letter of acceptance is considered to have as great if not greater authority than the platform so far as these new points are concerned. "Whether the President will keep the promises of the candidate or not, in any event you have not the manufactured voice of a machine,

²⁹ On this point cf. the interesting comment by T. R. B. on "Beer and Circuses" in the *New Republic*, vol. lxxi, p. 233 (July 13, 1932).

³⁰ E. Stanwood, *op. cit.*, vol. ii, p. 125.

³¹ For details see Peel and Donnelly, *op. cit.*, p. 34.

³² Cf. this book, chap. v; also P. O. Ray, *Introduction to Political Parties and Practical Politics*, pp. 48, 52. On Taft's speech of acceptance, see *Outlook*, vol. lxxxix, p. 775 (Aug. 8, 1908); and *Independent*, vol. lxxv, pp. 283, 330 (Aug. 6, 1908).

but the living accents of a man whose personality marks him out for and lays him open to responsibility."³³

With the platform disposed of, the stage is set for the climax of the great convention drama, the nomination of a candidate for the Presidency, followed by what unfortunately is too often an anti-climax, the nomination of a candidate for the Vice-Presidency. It is a striking fact that up to this point Democrats and Republicans are in substantial agreement as to all matters of convention organization and procedure. This is all the more remarkable considering that the two major parties are presumably opposed to each other in principles and policies, and, further, that each was quite free to develop its own methods of convention organization and procedure. With regard to nominations, however, a well-defined difference has developed at two points in the rules of the great parties. Up to a comparatively recent date the Democratic party inclined strongly toward, and always made more or less use of, the so-called unit and two-thirds rules. The Republican party, on the other hand, was even more strongly inclined against both, and successfully resisted occasional attempts made to introduce the unit rule in the interest of certain candidates.³⁴

Nomina-
tions

Originally the two-thirds rule provided that "two-thirds of the whole number of votes in the convention shall be necessary to constitute a choice." Later, however, it was modified to require only the votes of two-thirds of the delegates voting on any ballot, assuming, of course, a majority quorum to be present. Adopted by the first Democratic national convention, held in 1832, the rule has governed every subsequent national convention of the party. At first it applied only to vice-presidential nominations but was soon extended to presidential nominations also. As stated

Two-
thirds
rule

³³ Ostrogorski, *op. cit.*, vol. ii, p. 262.

³⁴ As, for example, by the Grant third-term boomers in 1880. In both parties most of the efforts made for or against the unit rule were inspired by leaders whose ambitions would be helped thereby. All the more significant, therefore, is the fact that the rule stood so long on the Democratic side and never secured a footing on the Republican side. In one sense it may be said that delegates are voted in the Republican convention as a unit when, as in the case of California, they are instructed by the vote of the entire state. But here the authority is that of a popular vote, not that of a convention or of a majority of the delegates, as under the Democratic unit rule. Cf. C. Becker, "The Unit Rule in National Nominating Conventions," *American Historical Review*, vol. v, pp. 64-82 (Oct., 1899).

on the floor of the convention adopting it, the purpose of the rule was that a nomination made by a two-thirds vote "would show a more general concurrence of sentiment in favor of a particular individual, would carry with it a greater moral weight and be more favorably received than one made by a smaller number."³⁵ In practice candidates able to secure a majority vote in Democratic national conventions have usually proved strong enough to get the necessary two-thirds in the end. However, Van Buren was beaten by Polk in 1844, and Champ Clark by Woodrow Wilson in 1912, after each of the former had succeeded in getting a majority vote.

Unit rule

The unit rule allows, although it does not compel, the majority of a state delegation in a convention to cast the entire vote of the state. This rule also dates from the earliest conventions of the Democratic party. Although in its origin the unit rule formed no part of the two-thirds rule, each complements the other. Manifestly, if states are permitted to plump their votes under the unit rule there is danger that a simple majority may be too quickly attained by an unsatisfactory candidate. Indeed, under this rule it is possible that a candidate favored with the support of a slim majority in a few of the larger states might be declared to have a majority of the votes in the convention when his actual strength, as disclosed by a poll of individual delegates, would be considerably less than half the votes. In either of these eventualities the two-thirds rule affords opportunity for a shift of votes and a possibly better ultimate choice.

Republican
attitude

As the Republicans did not accept the unit rule, they were not obliged to safeguard themselves from its possible untoward results by adopting the two-thirds rule. The centralizing tendencies of that party inclined it strongly to disregard state lines in national conventions and to insist upon polling the votes of district delegates as individuals. On the other hand, there is an obvious relationship between the state-rights tenets of the Democratic party and the unit rule.

Criticism
of two-
thirds
rule

The two-thirds rule has been criticized as a violation of the democratic principle of majority rule. In effect it does give a minority of one third in a Democratic national convention the power to prevent a decision so long as it holds together. And

³⁵ For further discussion on the origin of the rule see Frank R. Kent, *The Democratic Party* (1928), pp. 108-150.

the unit rule has been criticized because it causes much unholy bargaining within state delegations acting under it, particularly when they are nearly evenly divided. Also the latter rule impedes the transaction of business by the arguments, perhaps bickerings would be a better word, which spring up over its applicability in given instances. In general, Democratic conventions were much more ready to sustain the unit rule when it was imposed by state conventions than when imposed merely by a majority vote of the state delegations concerned.

The unit rule reached its widest and most effective employment by the Democratic party between 1860 and 1900. With the advent of direct primaries at the end of this period it was exposed to a new form of attack. Delegates pledged to a given candidate and elected by the party voters of their districts on the strength of that pledge were bound to resist attempts, whether made by the state convention or by a majority of the state delegation, to record their votes in favor of another candidate. A sensational fight on this issue, led by Newton D. Baker, broke out on the floor of the Democratic national convention in 1912. The result was a sweeping modification of the unit rule to read that the national convention would enforce it when enacted by a state convention, "except in such states as have by mandatory statute provided for the nomination and election of delegates and alternates to national political conventions in congressional districts, and have not subjected delegates so selected to the authority of the state committee or convention of the party, in which case no such rule shall be held to apply."³⁰ With the progress of direct primary legislation before and after the adoption of this new rule the possibility of voting state delegations solidly in Democratic conventions has been much reduced. Nevertheless, according to an estimate published shortly before the meeting of the Democratic convention of 1932, out of a total of 1154 delegates 638 were subject to the unit rule.

Modifica-
tion of
unit rule
in 1912

Logically the basis of the two-thirds rule is weakened to the extent that freedom from the unit rule is attained. Other and much stronger reasons may be urged against the former rule, however. It operates to prolong the duration of the convention unduly; in this respect the average of the Democrats for

Attack on
the two-
thirds
rule

³⁰ Cf. J. B. Bishop, *op. cit.*, p. 96; Stanwood, *op. cit.*, vol. ii, p. 256; C. E. Merriam, *op. cit.*, p. 280.

the last 52 years being 5 6/13 days as compared with 4 3/13 days for the Republicans. Much more serious is the fact that the two-thirds rule is a constant incitement to deadlocks such as the one which occurred in the Democratic national convention of 1924. It required 103 ballots to break the deadlock; as a result the party was ushered into the campaign greatly weakened by the animosities thus engendered. No doubt the lesson of that year has had a cautionary influence ever since, operating to some extent against movements to "stop" the candidate with majority support. Nevertheless, the danger of another Kilkenny cat-fight was sufficiently manifest at the Democratic national convention of 1932 to lead to a proposal by the Roosevelt leaders for the abolition of the two-thirds rule, the assumption being that this could be accomplished by a simple majority vote. So great was the opposition to this proposal, however, that it was modified to take effect only after the first six ballots, and finally was dropped with a recommendation that the matter be presented for final disposal to the convention of 1936. Vigorous objection to the abandonment of the two-thirds rule was made of course by the anti-Roosevelt following in the 1932 convention, since such action would virtually have wiped them out before the balloting began. Other arguments of a more general character were made, notably that it was unsportsmanlike "to change rules in the middle of the game," and that a nomination conferred under such circumstances would be "damaged goods." Sentimental appeals were made to the veneration due to a rule one hundred years old. And there were dark but not altogether convincing references to the advantages which the rule presumably confers upon the South by giving that section a veto over Democratic nominations. In the end it became apparent that the fight to abrogate the two-thirds rule would probably fail; such a fight would almost certainly disrupt the party as badly as a prolonged battle over the presidential nomination. So the matter stands. Nevertheless, the continuance of the rule is an even greater menace to the future success of the Democrats than the old system of apportioning delegates was to the Republicans prior to the series of reforms begun in 1913.³⁷

Convention
frenzy

Observers of American national conventions, particularly those coming from other countries, have been immensely impressed

³⁷ See p. 294 above.

by the apparently wild frenzy accompanying the making of nominations—the demonstrations in the balconies, the more or less inspiring music of giant organs and of many bands, the competitive cheering by supporters of each candidate at the first mention of his name, each group striving to outdo all others in the volume of noise and the amount of time wasted. Thus at the Democratic convention of 1932 after the Roosevelt contingent had paraded 43 minutes, the Smith contingent kept up their demonstration for 52 minutes. At the Republican convention of the same year, Hoover's nomination was celebrated for 30 minutes. The record for this kind of ambulatory hullabaloo seems to have been established at the Democratic convention of 1908 when the delegates demonstrated for 87 minutes in honor of the nomination of William Jennings Bryan. "And then there is the girl on the platform. She must not be forgotten. A convention parade would be a fizzle without her. She is cheer leader; acts as if she thought she were Joan of Arc astride her charger, leading her hosts to victory. She's sure-footed, for she can scramble up on the reading desk of the platform and stay there waving a flag in either outstretched hand, posing every other minute for the snapping, flashing cameras of the battery below, singing to the limit of her lung-power, laughing, cheering, shouting, quivering from head to foot with enthusiasm, treading the desk to the music. She likes it. And the crowd evidently likes her."³⁸

Perhaps to the above list of frenzy producing and time consuming devices should be added the nominating speeches which touch off the earlier outbursts of convention enthusiasm. Of recent years, however, the orators selected to make such addresses have shown a commendable degree of restraint in presenting the virtues of their favorites; certainly it is scarcely true today that nominating speeches "reek with incredible superlatives and banalities." No doubt certain of the more ineffective presentations do deserve severe criticism on the grounds stated; on the other hand the best nominating speeches, while manifesting a tendency to overpraise, do reach a high standard of excellence. The rather dubious device of withholding the name of the candidate, although it is known to all present and implied by every word spoken, in order to trumpet it forth at the end with climactic effect, is still commonly employed. Seconding speeches of mercifully shorter

Nominating
speeches

³⁸ Philadelphia *Evening Bulletin*, July 7, 1932.

length follow the nominating speeches, often however to a number and with such an amount of iteration and reiteration that they bore the delegates excessively and materially delay the work of the convention.³⁹

Mob
psychol-
ogy

Even outside the convention hall every art known to the publicity agent and campaign manager is employed, especially in the hotel sections of the city, to impress upon delegates the irresistible nature of the popular demand for their candidates. And delegates are among the most prominent participants in such demonstrations. At the focal point of all these extravagances, the convention with two thousand delegates and alternates crowding its floor and from fifteen to twenty thousand spectators in the galleries would seem to be ideally qualified to illustrate the principles of mob psychology. No doubt some of the manifestations of all conventions do illustrate these principles and a few nominations perhaps may be explained on such grounds. All appearances to the contrary, however, the forces of unreason have surprisingly little to do with the result. Most of the delegates to national conventions and certainly all those wielding considerable influence, are seasoned politicians. They know exactly how the noise-making and spectacular effects are produced and feel a corresponding contempt for such clap-trap devices.

Dictation
by big
bosses

Another popular view of national conventions is that their every move is dictated by a small group of big bosses and leaders meeting secretly in a hotel room blue with cigar smoke, and bargaining with one another before each session begins. There is, it must be confessed, some ground for this belief although not so much as popular credulity would imply.⁴⁰ However, the power of bosses and leaders varies considerably between the

³⁹ Contrast the somewhat extreme earlier citations selected with malice aforethought by Ostrogorski, vol. ii, pp. 263-270, with the speech quoted by C. L. Jones in *Readings on Parties and Elections in the United States*, pp. 103-106. References to the nominating speeches of 1928 may be found in Peel and Donnelly, *op. cit.*, pp. 7 and 31. See daily newspapers of June 17th and July 1st for nominating speeches made in the Republican and Democratic conventions respectively of 1932. C. E. Merriam, *op. cit.*, p. 286, notes that an eloquent nominating speech has not yet secured the nomination for the candidate named, but that in two conventions the eloquence of an orator has led to his nomination—Garfield at the Republican convention of 1880, and Bryan at the Democratic convention of 1896.

⁴⁰ For a sarcastic but scarcely impartial refutation of this belief which gained particular credence regarding the Republican convention of 1920, see H. M. Daugherty, *The Inside Story of the Harding Tragedy*, ch. v.

two parties and from time to time within the same party. Nor is it always concentrated behind the same candidacy. Always there is an anti-boss element, to say nothing of delegates instructed for and sincerely devoted to various aspirants for whom they vote, regardless of consequences, to the last roll call.

The theory that conventions are merely sham battles which conceal the dominating personalities of a few bosses is, then, too simple to fit all the facts. A more satisfactory theory recently advanced by Professor Merriam takes into account not only the influences already noted, including that of bosses and leaders, but also the influence of the administration if the party is in power in Washington, of the congressional group in the convention, and finally of party and public opinion in the country at large.⁴¹ Delegates come to the convention pretty well charged with the sentiments of "the folks back home," and during its sessions, especially if these are prolonged, are deluged with messages from constituents. During Bryan's famous struggle for control in the Democratic convention of 1912, it is said that 110,000 telegrams were sent by members of the party to delegates in Baltimore.

If the majority of the forces represented in a convention are united behind a single candidate the nomination for the Presidency may come very quickly. Out of the twenty-two nominations by the two major parties from 1892 to 1932, inclusive, fifteen were made either by acclamation or on the first ballot. If, on the other hand, the various forces represented in a convention are divided fairly evenly between two or more aspirants, the struggle between them is likely to develop into a long-drawn-out endurance contest. Roll call follows roll call in monotonous succession; one after another the states in alphabetical order report their votes, with possibly a few shifts from one candidate to another; day sessions are supplemented by evening and even by all-night sessions; and the convention may drag well on into a second week. Thus forty-four ballots were required for a decision at the Democratic convention of 1920 in San Francisco; forty-six at the Democratic convention of 1912 in Baltimore; and thirty-six at the Republican convention of 1880 in Chicago. Fifty-seven ballots were taken without result before the split in the Charleston Democratic convention of 1860, but the New York convention of that party in 1924 established a

⁴¹ *Op. cit.*, pp. 281-286.

new world's record of one hundred and three ballots. It is largely owing to the two-thirds rule that deadlocks are more common in Democratic national conventions. Usually decisions as to nominations are reached with great promptness by the Republicans. From 1892 to 1932, inclusive, no presidential nomination made by the latter party required more than four ballots except in the case of Harding, in 1920, who was successful on the tenth ballot.

Deadlocks

When a deadlock occurs the outcome is determined largely by the forces of attrition, made irresistible in the end, perhaps, by long hours, intense heat, and the rapidly mounting hotel bills of delegates. Or it may be broken suddenly and dramatically in favor of one of the leading candidates whose managers have succeeded at last in making a combination with the forces of one or more of the minor aspirants. Sometimes the only possible solution is the nomination of a "dark horse" who, because of a conciliatory attitude or the smallness of his following, has avoided the bitter animosities engendered between the principal contestants. To the latter class belong the nominations of Hayes in 1876, Garfield in 1880, Harrison in 1888, Bryan in 1896, Harding in 1920, and Davis in 1924. No matter whether a presidential nomination has been reached quickly or at the end of a long-drawn-out struggle, it is customary, following the decisive ballot, to pass a resolution "making it unanimous." There have been times, however, when a few "die-hards" among the followers of a defeated aspirant have refused to unite in this gesture of party reconciliation and harmony.

Availability

Politicians are wont to describe the sum of qualities desirable in a candidate under the general head of "availability." It is an exceedingly elastic term, the content of which changes from time to time. Thus after a period of brilliant and vigorous executive leadership an aspirant of homely and restful type is likely to be preferred, and *vice versa*. Availability includes not only the personal qualities and record of a candidate but all the reactions thereto of the various sections of the country, of the leaders of the party, of its rank and file, and, finally, of the people generally. What wets and dries have to say about him and what large campaign contributors think of him are things not to be ignored, nor can one leave out of account such apparent irrelevancies as his religion, his pronunciation, his personal taste in head-gear, or the qualification of his wife for the position—unknown to the

Constitution but often the subject of earnest discussion among many women and even some men voters—of “First Lady of the Land.”

Unquestionably the most important single quality embraced under this highly inclusive term is the residence of the candidate in the large pivotal state, especially if his record shows or is supposed to show his ability to carry it. Of the thirty Republican and Democratic nominees for the Presidency between 1876 and 1932, inclusive, eight were Ohio men, of whom six were elected; and nine were New Yorkers, of whom four were elected. In two campaigns during this period the candidates were taken from the same one of these two states—Roosevelt and Parker from New York in 1904, Harding and Cox from Ohio in 1920. Both states are doubtful politically. In addition, New York has the special advantage conferred by its large block of votes in the electoral college, while Ohio is considered particularly worthy of attention because its situation makes it a connecting link between the East and the West. For reasons similar to those which have made Ohio preeminently the mother of recent Presidents, Indiana is resorted to frequently for vice-presidential candidates. Between 1876 and 1932, inclusive, the major parties called upon the latter state no less than seven times to furnish candidates for that office. Twice during the same period candidates for the Presidency were taken from the Hoosier state.

Residence
in pivotal
states

As a corollary to the importance ascribed to these few states in the matter of presidential and vice-presidential nominations must be mentioned the comparative neglect of candidates of equal or perhaps greater merit residing in other states. A Pennsylvania Republican, for example, is handicapped for nomination by his party because it is so certain to carry the state in any event. A Pennsylvania Democrat seems even less available to his party because he cannot hope to win the electoral vote of the state. The exception in the case of Hancock of Pennsylvania, nominated by the Democrats in 1880, is more apparent than real since his military career had kept him out of the state of his birth the greater part of his life. New England is sufficiently off-center that it seems hopelessly out of the running except for the rare chance of an accidental succession as in the case of Coolidge. The same thing holds true of aspirants living south of the Mason and Dixon line, none of whom has been nominated for the Presi-

Neglected
areas

dency by either of the major parties since 1860. With the exception of Bryan, nominated by the Democratic party in 1896, 1900, and 1908, and of Hoover in 1928 and 1932, neither of the great parties has gone west of the Mississippi for a presidential candidate since 1860.⁴² Aspirants from states with a small vote in the electoral college or too distant from the center of population are distinctly less available for these reasons. They may, however, be useful make-weights as vice-presidential candidates if the party desires to appeal to the section from which they come.

Renomina-
tions

Another point of major importance in this connection is the practice regarding renominations. Since 1860, with three exceptions, every President securing his office by election and surviving to the end of his term, has been renominated by his party. In the first of these cases, that of Hayes in 1880, the President did not desire to run again; in the second, that of Roosevelt in 1908, the situation was complicated by the three and a half years which he served after the death of McKinley; and in the third under similar conditions Coolidge did not choose to run in 1928. Even so, repeated disclaimers had to be made by the two latter to convince friends that they would not be candidates. It would be putting the matter too strongly to assert that every President has a traditional right to renomination for a second term at the hands of his party. Certainly a President who had manifestly lost popularity with the country or who had alienated powerful elements or factions of his own party would meet opposition if, nevertheless, he insisted upon his claim. Of course the incumbent may use the administration influence, always powerful in a convention, to his own advantage. But apart from this the logic of the situation demands the renomination of a President unless he has been conspicuously unsuccessful. Not to do so places the party in the equivocal position of confessing failure during the past four years and of asking for a continuance of power on top of that record. While we seem to be in a fair way to establish, within limits, a tradition in favor of renomination to a second elective term, the anti-third-term tradition holds with unabated force.

Recent defeat in a popular election either for the Presidency or for a Senatorship, governorship, or other high office has, of course,

⁴² John C. Frémont, nominated by the Republicans in 1856, was at that time a resident of California.

a chilling effect upon the availability of an aspirant. It is a striking fact that the Republican party has never renominated a candidate once defeated for the Presidency. On the Democratic side, however, Cleveland was thus renominated after defeat once (1888); and Bryan twice (1900, 1908).

Effect of
defeat in
recent
contests

Turning now to personal qualities, availability includes tact, affability, "magnetism," imposing appearance, tireless energy, and oratorical ability. It is not to be forgotten that the nominee must be a successful candidate before he can become President; in other words, he should be an able campaigner. Undoubtedly the known high efficiency of Blaine, Garfield, Bryan, Roosevelt, and Smith as campaigners contributed greatly to their choice. With few exceptions presidential candidates have been capable public speakers. Tact, affability, and magnetism are important qualities in making friends, but they must be exercised with dignity and discrimination. Too obvious fraternization with the wrong sort of friends—political bosses, railroad or trust magnates, for example—may prove fatal. At times public taste may clearly prefer the man of few words, of bluff or reserved demeanor, capable of turning a cold shoulder upon undesirable allies even of his own party.

Personal
qualities
in relation
to avail-
ability

The death of President Harding and the physical breakdown suffered by President Wilson have directed attention anew to the enormous and increasing burdens imposed by our highest executive office. Some measure of the crushing weight of these burdens is afforded by the fact that the average age of the first fifteen Presidents of the United States (Washington to Buchanan, inclusive), all of whom died natural deaths, was nearly seventy-four years, whereas the average age of the subsequent ten Presidents who are deceased, omitting the three who were assassinated, was slightly over sixty-five years. The average age at which Presidents of the earlier group reached the office by election was fifty-eight years; of the post-Civil War group, fifty-one years. Of the latter group, four elected Presidents were inaugurated while still under fifty; five between fifty and fifty-four; and only three after they had attained fifty-five years of age. On the other hand, during the period from 1789 to 1860 men of fifty-five or even over sixty were preferred for the Presidency. Since 1860 only one President was more than fifty-five at the time of his inauguration. It is evident from the foregoing figures that an

Crushing
burdens
of the
Presidency

unconscious adjustment has been made to the increasing burdens of the Presidency. Of course it would be going too far to assert that availability now ceases abruptly at the middle fifties, but certainly it diminishes rapidly as that age is left behind.

Record
of the
aspirant

Every detail of a man's record is eagerly canvassed in determining his availability as a candidate—his home life, occupation, and social habits as well as his public career. Among professional men lawyers are most sought after as presidential candidates, although not to so great a degree as for United States Senatorships. However, a lawyer who has distinguished himself as the representative of great corporate interests is certain to be attacked on that score. Religious affiliations are also considered. All Presidents of the United States who have been church members were connected with some Protestant sect⁴³—a fact which was rather heavily underscored during the 1928 campaign. A conspicuous "war record" was highly important down to the recent past; since the World War, however, for reasons which would richly repay detailed investigation, this factor has figured much less prominently. In civil office it is quite possible that a man's services may have been so long continued and so important as to reduce his availability. His public career may have compelled him to antagonize powerful political leaders, editors, or business interests. It sometimes happens, however, that there are those who "love him for the enemies he has made." Paradoxically enough, a state or local record may represent a higher degree of availability for a presidential nomination than a national record. The enemies of a successful mayor or governor are likely to be comparatively few and to reside largely in his own city or state: the enemies of a prominent Senator or Cabinet official may be not only numerous, but well distributed over the country as a whole.

Are great
men not
chosen
Presi-
dents?

It is in considerations such as the foregoing that one must look for an answer to Bryce's famous question, "Why great men are not chosen Presidents."⁴⁴ Forty-five years have elapsed since the inquiry was propounded, however, and during that period the office has been occupied by two or three men of powerful

⁴³ The number of Presidents belonging to each sect is given as follows: Episcopalian, 8; Presbyterian, 6; Unitarian, 4; Methodist, 3; Reformed Dutch, 2; Baptist, 1; Congregationalist, 1; Disciples, 1; Friends (Quakers), 1; non-members, 3. *World Almanac*, 1931, p. 241.

⁴⁴ *American Commonwealth*, vol. 1, chap. viii.

qualities—Cleveland, Roosevelt and Wilson—whether or not history will ultimately pronounce them great. Other incumbents since 1888 were at least men of distinction. For Presidents of colorless or weak personality like Polk, Pierce, and Buchanan one must go back to the middle period of our history. It must be admitted, however, that a number of notable American statesmen have been passed over: Hamilton, Marshall, Gallatin, Webster, Clay, Calhoun, Seward, Sumner, Hay, Root, and others.⁴⁵

In a well-known paragraph Bryce has summed up the attitude of delegates who are, of course, most nearly concerned with the questions involved in the availability complex. "Four sets of motives are at work," he observes. "There is the wish to carry a particular aspirant. There is the wish to defeat a particular aspirant, a wish sometimes stronger than any predilection. There is the desire to get something for oneself out of the struggle—*e.g.*, by trading one's vote or influence for the prospect of a federal office. There is the wish to find the man who, be he good or bad, friend or foe, will give the party its best chance of victory. These motives cross one another, get mixed, vary in relative strength from hour to hour as the convention goes on and new possibilities are disclosed."⁴⁶ Surely in addition to or at least as an amendment to the first of the foregoing, mention should be made of the motive of those who desire conscientiously to choose from among the national leaders of their party the man best qualified to be President of the United States.

Motives of
delegates

Having accomplished its supreme purpose—the nomination of a presidential candidate—the convention turns somewhat perfunctorily to the choice of a candidate for the Vice-Presidency. It is seldom that more than one ballot is devoted to the settlement of this matter. Naturally the convention is much more concerned with the selection of a suitable "running mate" for the presidential candidate than with any other aspect of the situation. While the convention must bear its share of blame for this rather superficial attitude, the responsibility goes back to the nature of the vice-presidential office itself as determined by the Constitution. Except in case of a vacancy in the Presidency, it is a position of altogether minor importance. On the other hand, a suitable candidate for the Vice-Presidency may play a very use-

Vice-
presidential
nominations

⁴⁵ Cf. W. B. Munro, *The Government of the United States*, p. 96.

⁴⁶ *Op. cit.*, chap. lxx.

ful and even a leading part in determining the outcome of a national campaign. In the campaign of 1900, for example, Roosevelt as candidate with McKinley made a highly effective appeal. Similarly in the campaign of 1924 Dawes as candidate with Coolidge proved himself an extremely capable campaigner. In each case the vice-presidential candidate relieved the head of the ticket, then occupying the White House, from the necessity of too active participation in the contest for his own reelection.

Avail-
ability of
vice-presi-
dential
aspirants

With this motive in mind the convention is likely to nominate for the Vice-Presidency a man who can carry a large pivotal state other than that from which the presidential nominee was taken—witness the prominence of Indiana in this respect referred to above. The Twelfth Amendment to the Constitution makes it necessary to choose the vice-presidential candidate from a state different from that of the presidential nominee, but political expediency would dictate this course in any event. Apart from the matter of residence in any particular state, a vice-presidential aspirant may seem especially available if he commands a following in a section of the country other than that in which the presidential nominee is most popular. Or he may be chosen in the hope that he will contribute generously or aid in securing large contributions to the campaign fund. In other respects the attributes constituting availability for vice-presidential honors are substantially the same as in the case of presidential aspirants, but they are computed on a much less exacting scale.

Vice-
Presidency
as a con-
solation
prize; con-
sequences

Geographical and personal considerations of the above character are no more reprehensible in the case of the Vice-Presidency than in the case of the Presidency. An altogether different judgment must be expressed regarding the strong tendency to deal with the vice-presidential nomination as a sort of a consolation prize awarded to placate a powerful faction which has been defeated in the convention on certain important planks in the platform or on the presidential nomination. This tendency, coupled with the somewhat inferior grade of ability characteristic of vice-presidential nominees because of the minor importance of the office itself, is responsible for the mournful fact that the first four out of the six cases of succession owing to the death of the President resulted in weak or unsuccessful administrations. Bad as are the effects of such administrations upon the country, to the party responsible for them the consequences in the form

of factional fights and disruption have been much more disastrous.

Following the nominations the convention appoints two notification committees, one for the presidential, the other for the vice-presidential candidate, and then adjourns *sine die*. Each of these committees is composed of one delegate from each state. Some five or six weeks after the adjournment of the convention they visit the homes of the candidates and there with all imaginable ceremony solemnly inform them that they have been nominated. The occasion may take the form of a simple front-porch affair or of a large-scale political rally. In either event the candidate responds in a formal speech of acceptance, which may be followed a few weeks later by a lengthy letter of acceptance. The significance of the declarations made in the speech or letter of acceptance of the presidential candidate has been touched upon above. In spite of the ponderous ritual characterizing such affairs, there has always been an element of the farcical in the formal notification proceedings following conventions. They are redolent of old stage-coach days, they cost a great deal of money for transportation and other expenses, and they are wholly unnecessary. For these reasons a large measure of approval was given the action of Franklin D. Roosevelt, the Democratic candidate in 1932, who, immediately after his nomination, flew from Albany to Chicago, and there delivered his speech of acceptance to the convention before adjournment.

Notifica-
tion com-
mittees
and cere-
monies

To national conventions the most important functions performed by American political parties are confided. Within the last quarter century direct primary election laws have either swept away entirely or regulated stringently all lesser conventions. The national conventions remain virtually unchanged in organization and procedure in spite of the fact that every abuse alleged against minor conventions has been alleged against them. Yet it is easier to criticize than to reform them, as the preceding discussion of presidential primaries has shown. However, some minor defects are in process of correction. Thus the assignment of delegates upon a basis of population as reflected in congressional apportionment rather than of party strength is being met by the Republican party, which alone suffered severely on this score. Large blocks of delegates who "will stand without hitching"—that is, who are controlled by state and local chieftains—

Estimate
and criti-
cism of
national
conven-
tions

still make their appearance in national conventions, although perhaps not to so great an extent as in the days before direct primary elections. By a vigorous use of the latter device on the part of electorates this evil could be greatly reduced. Protest is also frequently made against undue influence exercised by the head of the party who is at the same time the occupant of the White House. Thus at the Republican convention of 1932, six cabinet members were present and extremely active while of the 1154 delegates more than four hundred were said to be federal office holders.

Conven-
tions in
the Capitol

Also there are the many sober-minded persons who are offended—perhaps too much so—at the antics and by-play which are part of the performance at our great quadrennial political conclaves. Hoping to lend dignity to the scene one such critic proposed that national conventions should be held in the Capitol at Washington. Just how room would be found therein for the twenty-three hundred delegates and alternates, to say nothing of the thousands of spectators, he did not explain; probably the latter were to be barred as forces of disorder and unreason. Moreover, Congress might be in session during the open season for national conventions as happened to be the case in 1932. Also, Washington is inconveniently distant from the present center of population. Finally, for the party in power at the time it would prove much too full of administration influence. As for the antics and by-play, mentioned above, much as Puritans may deplore them, the probability is that they will continue until Americans lose their sense of humor, a national trait which may or may not be too fully developed. Meanwhile, it is only the tyro in politics who assumes that convention foolery has any effect upon the business in hand.

Abuse of
powers

More serious is the criticism that national conventions are at all times irresponsible and sometimes arbitrary in handling their great powers. They may, for example, admit or reject delegations at will, regardless of the primary election laws of any state. However, these laws have now become sufficiently established to make nullification at the hands of a convention exceedingly dangerous business. Abuse of power to make up the temporary roll by the hold-over National Committee and by the committee on credentials, as in the Republican convention of 1912, is more

likely to occur. Of course it may lead to party schism and defeat of the national ticket, but most of the delegates who are responsible for the abuse are unlikely to be touched directly by these penalties. They are not themselves candidates or, if so, expect to win in their petty local contests. In their factional frenzy such delegates are even willing to risk party defeat, provided only they can retain their grip on the organization. Of course no amount of prevision can prevent or should attempt to prevent a party split when it is due and needed. But deliberate party wrecking in order to retain control of the machine is another matter. In this connection President Wilson's suggestion previously quoted might prove helpful. A convention composed largely of delegates who were themselves candidates for conspicuous offices could be punished promptly and severely for its misdeeds.

Finally national conventions are grossly incompetent as organs for the formulation of party policies which, in case of success at the polls, may become the nation's policies. As we have already noted, they are unsuited in personnel; and they are far too large, too hurried, and too irresponsible for the proper performance of this weighty function. Moreover, they are so much engrossed with the selection of a presidential candidate that they cannot give sufficient attention to party policies. As long as these two functions are intrusted to the same body the latter is doomed to suffer partial neglect at least. It is a curious fact of American politics that since presidential candidates are needed only once every four years, the parties content themselves with definitions of their national policies in platforms spaced by that interval of time. In several countries of continental Europe parties are accustomed to hold diets or congresses which define and modify their programs from year to year or as important issues arise.⁴⁷ Moreover, these diets make no nominations and are thus free to devote their time exclusively to questions of policy and tactics. The practice has its disadvantages, but it does tend to keep the parties alert and up to date on issues. If we in the United States are to develop interest in political policies and principles as opposed to interest merely in nominations and patronage, it

As organs
for the
formulation of
policies

⁴⁷ R. Michels, *Political Parties*, pt. ii, chap. iv; E. McC. Sait, *Government and Politics of France*, chap. x; and the author's *Government and Politics of Switzerland*, chap. xiii.

will be necessary for us to devise party institutions capable of real deliberation and frank expression on national affairs.

BOOK NOTES

AUTHORITATIVE information on the proceedings of national conventions may be procured from the *Official Report of the Proceedings*, published every four years by each of the two major parties.

All the general works on political parties cited under Chapter I devote considerable space to national conventions, the most thorough treatment being that of *C. E. Merriam, *The American Party System*, pp. 274-307 (1922). M. Ostrogorski, *Democracy and the Organization of Political Parties*, Vol. II, pp. 248-270 (1902), presents an extremely vivid picture of the convention scene, emphasizing too much, however, the effectiveness of spectacular and noise-making devices. For a briefer statement along the same lines see his *Democracy and the Party System*, Ch. VIII (1910). A more restrained view which takes into account both the "orderliness" and "excitability" of American temperament is given by James Bryce, *American Commonwealth*, Vol. II, Ch. LXX. For interesting materials regarding various notable conventions from 1830 to 1912, the reader may consult *J. B. Bishop, *Presidential Nominations and Elections*, Chs. I to XIV (1916). The biographical works referred to following Ch. I may be consulted with great profit regarding national conventions in which McKinley, Bryan, Roosevelt, Wilson, Harding, and Coolidge were nominated. A thorough analysis of pre-convention tactics and of the two conventions is presented by *R. V. Peel and T. C. Donnelly, *The 1928 Campaign* (1931).

The two-volume **History of the Presidency* by E. Stanwood, is a mine of facts and statistical information on national conventions of all parties from their inception to and including 1916. Larger historical treatises covering periods from 1830 on may also be consulted with profit for the more critical national conventions falling within their scope, J. F. Rhodes, *History of the United States from the Compromise of 1850* (7 vols., 1850-1877, published 1893-1906), and *History of the United States from Hayes to McKinley, 1877-1896* (1919), by the same author, being especially useful. On the same large scale is E. P. Oberholtzer, *History of the United States since the Civil War* (4 vols., 1917-1931). More popular in character are M. Sullivan, *Our Times* (3 vols. 1926-1930), which covers the period from 1900-1925; and F. L. Allen, *Only Yesterday* (1931), which deals with the campaigns of 1920, 1924, and 1928.

W. J. Bryan, *A Tale of Two Conventions* (1912), is a collection of letters written to a syndicate of newspapers on the Republican and

Democratic national conventions of that year, both of which he attended as a reporter and in the latter of which he played a decisive part. Although, naturally, not without partisanship, the letters are well written and are illustrated with numerous cartoons; they retain something of the flavor of that exciting time and show actual developments in the two conventions with unusual clarity.

CHAPTER XII

CAMPAIGN METHODS

Professionals
turn to
the mass
of voters

UNDER the old convention system all the work culminating in nominations was performed by professional or semi-professional politicians. In its closed form, which is by far the more commonly employed, the direct primary calls in, at the last stage of the process, the registered or enrolled party voters. The latter are, if not active politicians, at least avowed partisans. Under either system it becomes necessary, once nominations have been made, to turn to the great mass of voters, including the lukewarm, the independent, the apathetic, and the hostile, and out of all these elements to fabricate, if possible, a plurality in the final election.

First
moves

Of course the prime movers in this gigantic undertaking are the regular party committees which have been described earlier.¹ Between campaigns they lead a rather torpid existence; following the national conventions, however, the permanent party structures from the national committees at the top to the precinct committees at the bottom awake to a new and vigorous life. Even in presidential years, however, it takes time to mobilize such enormous forces; moreover during the dog-days your average citizen is little inclined to political fervor, being interested principally in relaxation and vacation joys. Also in a number of states primaries are held late in the summer, pending which national leaders are averse to activities which might involve them on one side or the other of local controversies. As a result from the close of the conventions in June or July until late August when the candidates deliver their speeches of acceptance, little is undertaken in the way of direct popular appeal. Nevertheless inner circles of politicians carry on the most strenuous activities during this preliminary period of the campaign. Embassies are dispatched to disgruntled aspirants for nomination² or to the leaders of disaffected factions in the hope

¹ See ch. viii above.

² For an interesting and decidedly amusing account of how in 1880 Hanna, then a young and comparatively unknown Republican leader, contrived to maneuver Grant into an apparently friendly attitude toward Garfield who had

that the grand chorus of party harmony soon to be broadcast to the country at large may be marred by no discordant note. Most important of all, dragnets are thrown out to collect the largest possible amount of money at the earliest possible moment or at least to secure generous pledges for the immediate future. In anticipation of the actual receipt of funds experts are set to work recruiting workers for the speakers' bureau, the press bureau, the women's bureau, the labor bureau, the colored voters' bureau and so on down the list of the administrative agencies mapped out for the campaign.

Both national committees establish headquarters not only in one or two cities, as was the rule in simpler and less expensive days, but in four or five widely distant centers. Of course as the capital and residence of many party leaders they maintain permanent offices in Washington. In addition, however, the Republicans opened headquarters for 1924 in New York, Chicago, Boston, Denver, and San Francisco; the Democrats in New York, Chicago, and Denver. Four years later the lay-out was less extensive; the Republicans under the leadership of Dr. Hubert Work as national chairman in Washington established an eastern division with headquarters in New York under Senator George H. Moses of New Hampshire and a western division under Congressman James Good of Iowa; while the Democrats under the leadership of John J. Raskob opened headquarters in New York, with regional headquarters in St. Louis and Salt Lake City. Needless to say the depression prevailing in 1932 reduced the number of both offices and office workers to a minimum.

With organization accomplished and funds beginning to come in the directly proselyting work of the campaign is started early in September. To achieve the supreme end of victory in November a bewildering variety of methods are employed. Roughly they fall into two groups: (1) Efforts to reach voters as individuals; and (2) efforts to reach voters in the mass.³

METHODS OF REACHING VOTERS AS INDIVIDUALS

Individual appeals to voters may be made by direct personal contact or by mail. Candidates "buttonhole" their constituents

defeated him for the presidential nomination, see H. Croly, *Marcus Alonzo Hanna*, p. 116.

³ Cf. A. N. Holcombe, *State Government in the United States*, rev. ed., p. 225 *et seq.*

at every opportunity. In cities much of the work of "ringing door bells," or canvassing from house to house, formerly had to be done of evenings or on holidays, when the men of the family were at home. Now that women have been enfranchised, appeals may be made to them during the day, preferably at hours when they are not engrossed in household labors. With the advent of the cheap automobile the range of such work has been greatly extended, and gasoline now figures largely in the accounts of party committees. Candidates also meet many voters at places of public resort—in rural districts—the general store, the post office when the mail is being distributed, the station platform at train time, auctions and sheriff's sales, grange meetings and county fairs. In towns and cities voters may be buttonholed in poolrooms, club houses, eating places, soft-drink establishments, drug stores, fire stations, barber shops, and the thousand and one other places of public gathering. Formerly the saloon was the great center for political gossip and appeal, and, doubtless, would have been such even if the proprietor had not been interested in politics for business reasons.

Cost of
can-
vassing

No great expenditure of time is required to reach all the voters personally in rural districts and villages. But in cities and larger districts and in state-wide contests this kind of campaigning requires careful organization and the employment of large numbers of canvassers who incur heavy bills for salaries, expenses, and transportation. Under such conditions the method of direct appeal can be employed effectively only by candidates who have the support of the party organization or who are able to raise the funds necessary to create an organization of their own.

Use of
the mails

Voters may also be reached individually by postal cards, letters, or by the distribution of handbills. Here, again, of course, the cost depends upon the size of the district. In the pre-convention campaign of 1912 circumstances made it urgently necessary to send a postal card to each of the 1,600,000 voters in the state of Pennsylvania, the total cost amounting to \$23,000.⁴ Postage alone

⁴Regular Republicans had preempted every possible party name containing the words "Progressive" or "Bull Moose." The genuine supporters of Roosevelt were compelled to go back to the father of the country for a title, taking that of "The Washington Party." It was necessary to send a card to every voter in the state warning them against spurious designations indicating Progressive affiliations but put forth by regular Republicans. See W. P. Lewis, *Life of Theodore Roosevelt*, p. 349.

on one letter to the 4,885,363 voters registered in New York during the presidential campaign of 1928 amounted to nearly a hundred thousand dollars. In addition letters cost one to eight cents each according to length, number, and kind of paper used. Distribution of handbills may be accomplished at considerably lower expense in urban districts, but they are much more likely to be thrown away unread.

Practical politicians are unanimously agreed as to the value of appeals to the individual voter. Mail matter is, of course, less effective than direct personal approach. To many voters in humble circumstances, however, it is something of an event to receive a letter, especially a letter making a deferential appeal, signed by persons of prominence. Often such communications are laid aside carefully, to be taken out, reread, and pondered at leisure. Direct personal appeal by tactful and experienced campaigners is much more seductive, and, moreover, may be adapted with the nicest accuracy to the circumstances and prejudices of the individual voter. In all communities a considerable minority of the electorate is but slightly moved either by conviction or by partisanship. A citizen of this type regards the casting of his vote, especially for local offices, as a personal favor to be conferred upon the candidate he likes best or who is most solicitous. Hence the great effectiveness of a direct appeal to individuals for political support.

Value of
individual
appeal

METHODS OF REACHING VOTERS IN THE MASS

As already noted, the other principal method of campaigning is to approach voters in groups or as a mass. This may be accomplished (1) by the holding of political meetings or (2) by the distribution of campaign literature and other materials designed to make a general appeal.

Campaign meetings range all the way from the humble soap-box or cart-tail affair on a street corner to imposing mass meetings in metropolitan cities. For demonstrations of the latter character campaign committees rent the finest auditorium, engage the best band, provide elaborate decorations, distribute flags and literature to every seat, and advertise orators of national reputation. The cost of such meetings held at the Philadelphia Academy of Music was estimated at from \$1,250 to \$2,000 each.⁵ Of course demon-

Campaign
meetings

⁵ Mr. Edgar W. Lank, Democratic city chairman of Philadelphia, itemizes the smaller sum as follows: rental, \$250; band of fifty pieces at \$10 each, \$500; advertising, \$250; decoration, flags, literature, \$250; total, \$1,250. With

strations of so expensive a character are not of everyday occurrence. If funds are available, one may be given early in a campaign to sound the "keynote," and another shortly before the end to wind it up in a climactic blaze of glory.

Defects
of the
campaign
meeting:
"heckling"

Indoor political meetings, particularly those of a pretentious character, suffer from the defect that they are attended chiefly by adherents of the party holding the meeting. Members of other parties seem to have a feeling of intrusion, perhaps even of disloyalty to their own party, when they make their appearance thus in the "camp of the enemy." Consequently, indoor political meetings offer little opportunity to gain converts, and are chiefly useful for the purpose of increasing the enthusiasm of already convinced partisans. Hence the frenzied demonstrations at such meetings; hence, also, the insincere and ineffective rodomontade of many orators and the comparative absence of rational discussion. In England partisans of other political faiths frequently attend meetings and do not hesitate to heckle speakers. This custom may breed disorder, but it has the decided merit of opening up unanticipated points for discussion. As a result English political speakers who take it as all in the day's work, are compelled to prepare themselves more thoroughly and to cultivate the art of quick and effective rebuttal. In the United States heckling has commonly been regarded as malicious interference, disturbers of this character frequently being ejected with violence or handed over to the police. A rather conspicuous case occurred in Baltimore during the campaign of 1920 when in the course of an address by Senator Harding, the Republican candidate for the Presidency, one of the auditors questioned him regarding his attitude on the League of Nations. The heckler was promptly placed under arrest at the instigation of the local managers of the meeting. Some weeks later Governor Cox, the Democratic candidate, spoke in the same city, scoring a decided point when he invited questions from the audience. Apparently heckling is coming to be regarded with somewhat greater tolerance in the United States. The asking of questions was first encouraged as a general policy by Progressive speakers during the campaign of 1912.

abundant funds available, he estimated that the majority party usually spends from \$1,500 to \$2,000 on such meetings. As the Academy of Music seats three thousand, this would make the cost per person in attendance from forty to sixty-five cents.

As the incident narrated above shows, heckling was by no means unusual in 1920, owing in large part to the popular desire to smoke-out candidates on the League of Nations question. In the campaign of 1928 the heated interest of partisans in the prohibition and religious issues made the practice even more common. Political managers are beginning to take it into account. Given a ready well-informed orator they have every reason to encourage it, for it is nearly always possible for such a one to turn the tables on his tormentor to the delight of the audience. With a timorous or unpracticed speaker campaign managers make every effort to avoid it; in some cases, if tales told out of school are to be believed, even hiring a heckler who regularly appears at every meeting, occupying a prominent seat, and rising at a prearranged time to ask prearranged questions which of course are triumphantly answered.

Joint
debates

It is to be regretted that joint political debates, once so common and so profoundly influential in forming popular opinion, are becoming extremely unusual in our latter-day campaigns. The Lincoln-Douglas meetings of 1858 in Illinois were perhaps the climax of such affairs, exerting a marked influence upon the outcome of a senatorial contest at the time and upon the outcome of the presidential contest two years later.⁶ One of the curiosities of recent legislation was the Richards primary act of South Dakota (Ch. 234, L. 1917), which among other things even sought to compel the holding of political joint debates by law. It contained provisions naming the kinds of candidates who had to take part—including by the way only those who were running for executive offices—and stipulating in detail the number, times and places of meetings. Failure without valid excuse on the part of any such candidate to accept a challenge to debate was made equivalent to the legal withdrawal of his name from the primary ballot. Discussion was restricted to "paramount issues" which were defined elsewhere in the law. Personalities were barred. After an experience of only four years, however, this striking piece of legislation was repealed (Ch. 329, L. 1921). According to a competent authority living in South Dakota at the time, the ostensible reasons for the repeal were the expense to the state and the undignified way in which the debates were conducted. Others

⁶ See J. F. Rhodes's account of the Lincoln-Douglas debates of 1858, in his *History of the United States*, vol. ii, p. 321 *et seq.*

held the conviction that the politicians were frightened at the prospect that organization candidates would be beaten in debates before the people by their more progressive opponents. It is clear that the debates were farcical in large part, that they were not confined to paramount issues, and that personalities were indulged in freely. On general grounds the plan was also open to criticism in that it was confined to candidates for executive office. Less objection could be made to its application to legislative candidates. In principle it should have been applied even more strongly to candidates for the legislature since they aspired to become policy forming officials. But it was one of the humors of the Richards act that the solons who made it exempted themselves, so long as their ambitions were confined to legislative office, from the necessity of participating in compulsory political joint debates.

League of
Women
Voters
and can-
didates

Of recent years the League of Women Voters has inaugurated the practice of holding not only meetings at which pending political issues are discussed but also joint meetings to which candidates of all parties are invited in order to present their cases. Both practices have proved of educational value; the latter in particular may indicate a resumption of interest in the joint debating of the middle period of American history. Information supplied by the headquarters of the League of Women Voters shows that it is pushing this form of political education vigorously. During the organization's fiscal year 1928-29, which coincided with the Hoover-Smith presidential campaign, the League conducted 591 meetings in 43 states which were either candidates' meetings or devoted to current election issues. For that year the state reports sent to the headquarters of the organization in Washington did not differentiate between the two types of meetings. During 1930-31, however, when the distinction was first made, the League of Women Voters held 201 meetings on election issues and 211 candidates' meetings in 38 states—certainly a remarkable achievement for a non-presidential year.⁷ Naturally these tactics have not endeared the League to the professional politician who is inclined to regard appearance before a largely feminine auditory determined to get at the facts of the case as one of the worst hazards of candidacy. If persisted in and extended the methods which the

⁷ Information kindly supplied by Miss Beatrice H. Marsh, Executive Secretary, National League of Women Voters, 532 Seventeenth Street, N. W., Washington, D. C.

women's organization have developed may not only improve the quality of our political discussion but also force the nomination of better candidates.

Outdoor political meetings, particularly those of an informal character, are much less costly and much more successful in reaching adherents of other parties. Of this character are street meetings, meetings held at factory gates during the noon hour, meetings at country fairs and granges. The noise and confusion of open-air gatherings, and often the inclemency of the weather, are desperately hard on all but the most leather-lunged and brass-throated orators. Since, however, members of both parties are likely to be present on such occasions they may console themselves with the thought that they are preaching to both saints and sinners, politically speaking, although conversion of the latter never takes place in the ecstatic, wholesale manner characteristic of the cruder kinds of religious revivals.

Outdoor
meetings

Political "spellbinders," or orators, of every conceivable variety are to be heard at campaign meetings. College undergraduates with a liking for debate frequently volunteer for the sake of the experience to be gained. Young lawyers not yet overwhelmed with legal business enlarge their acquaintance and improve their oratory on the stump. Other rising professional and business men, progressive farmers, and ambitious labor leaders seize the opportunity presented by local meetings to further develop in the service of their party such talent as they may possess for public speaking, and also to put themselves in line for nomination to office later. At the other end of the scale public men of the highest ability are enlisted—leading lawyers to a greater degree than members of other professions, but also eminent divines, distinguished college presidents, and men of large affairs generally. Governors of states, Congressmen, and particularly United States Senators are featured as "big guns" at the meetings where they deign to appear. During the national campaign of 1920, the passage of the Suffrage Amendment created a sudden and unprecedented demand, which was met with difficulty, for women speakers to instruct and enthuse the great new mass of women voters. Nevertheless a little more than 10 per cent of the orators sent out by the Republican national committee in that year were women.

"Spell-
binders"

Campaign orators of the highest eminence are directed by a speakers' bureau maintained at the national headquarters of the

Speakers'
bureaus

party. They are sent out on extended tours to those states where their services will be most effective. All their traveling expenses are paid out of the party treasury, and some of them receive in addition an honorarium which may run as high as one hundred dollars for each speech. It is not unusual for the national or state committee to meet the expense of transporting speakers from place to place, the local committee in charge of the meeting defraying the cost of their local entertainment. Orators who demand and receive payment for campaign addresses are generally considered to have surrendered thereby any right to further reward at the party's hands, as, for example, appointment to office. On the other hand, the speaker who contributes his services frequently puts in a claim for consideration on this basis in case his party is successful. Training schools for less experienced orators are often established at national and other party headquarters, where instruction is given not only in the art of public speaking, but also as to what issues are to be avoided or emphasized. Aided by these facilities the young man or woman ambitious to "take the stump" during a campaign is likely to encounter no great obstacles provided that application is made locally, that, if offered, training is undertaken, and finally, that no compensation beyond traveling expenses is expected. Party headquarters in our states and principal cities also maintain speakers' bureaus which stand prepared to send out orators in response to every call coming from the territory they serve. Thus the flow of buncombe, blarney and blather is maintained at high pressure; nevertheless at times, let us hope, "there are truths eternal amid the gab and tittle-tattle."

Specializa-
tion in
campaign
oratory

In campaign oratory, as in all other forms of vote-getting activity, specialization is the order of the day. Every effort is made to adapt the speaker to the particular audience. A "mud-slinger" or a professional funny man, either of whom might make a great hit in a "slum" ward, would create nothing but disgust in a college community. On the other hand, of course, a political oration along Phi Beta Kappa lines would be considered hopelessly "high brow" in the "slum" ward. If, therefore, a call comes from a steel-working district, the astute manager of a speakers' bureau will send a steel worker, preferably a popular labor leader; if it comes from a Polish quarter, he will send some one of that nationality who can recount the woes and glories of Poland's history while at the same time he makes capital adroitly for the party's candi-

dates. To a college community a prominent professor will be sent; to a gathering of ex-service men a veteran with a brilliant military record; to a "tough" ward, an ex-prize-fighter; to the outing of a commercial club, a successful man of large affairs; and so on to the end of the list. For easily gullible street crowds "fake debates" may be staged. Other things being equal, a candidate is listened to with more attention than a mere campaign orator. The people feel that the candidate has something personally at stake, they take a sporting interest in the kind of fight he is putting up, and are eager to form an estimate of his ability based on his public appearance.

Formerly a considerable sentiment existed against active campaigning on the part of candidates for offices of unusual prominence or dignity. At least the appearance was cultivated of the office seeking the man rather than the man seeking the office. In the case of elective judgeships in our higher state courts, this sentiment still holds, particularly where the non-partisan ballot is used for such offices. But it has been greatly attenuated since 1896 and 1912, so far as higher executive offices, including the Presidency, are concerned. Of course a candidate to succeed himself as Chief Executive is largely inhibited from active campaigning by the heavy burden of public duties; moreover the great mass of citizens are favorably impressed by the spectacle of apparently unperturbed devotion to official activities, regardless of the clamor of the hustings. Even in the case of a presidential aspirant who is free from official obligations, however, it may seem advisable to avoid the appearance of hasty, undignified scrambling for the votes of the multitude. If Mohammed will not go to the mountain the mountain may be brought to Mohammed. In other words, the presidential candidate remains at home, but day after day throughout the campaign he receives delegations of his adherents who come from all parts of the country often in excursions numbering thousands of persons. To these political pilgrims the candidate then speaks in all dignity from the cool shade of his own front porch.⁸ McKinley was conspicuously successful with this form of campaigning in 1896. He received train load after train load of excursionists at his home in Canton, Ohio, speaking to them in

"Front-
porch" and
"whirl-
wind"
campaigns

⁸ Herbert Croly gives an excellent account of the inside management of the McKinley front-porch campaign of 1896 in his *Marcus Alonzo Hanna*, p. 214 *et seq.*

apparently impromptu words which made a deeply favorable impression upon the country partly because of their graciousness but even more because of the fullness of information they revealed upon the specific points raised in the addresses previously delivered by the chairman of the visiting delegations. Not till long afterward was it known that there was nothing impromptu in these most effective programmes. Leaders of the groups who announced their intention to visit Canton were courteously but firmly requested to send copies of the speeches which they purposed making to the candidate who did not hesitate to use the blue-pencil upon occasion. Hence the apparently astounding readiness and fullness of his replies. Remembering the devastating effect of Burchard's reference to "Rum, Romanism and Rebellion" in the campaign of 1884, McKinley by his cautious front-porch tactics also avoided any such dangerous alliterative formula as "Silver, Sacerdotalism, and Secession." Most important of all he avoided haste and confusion and conserved his physical powers so that the quality of his utterances improved constantly during the campaign. On the other hand Bryan, the Democratic candidate, preferred to make "the swing around the circle," traveling some 18,000 miles in all and delivering innumerable speeches, many of them during brief stops at tank stations. In spite of his youth and enormous physical vitality it was inevitable that the quality of his utterances deteriorated; repetition of subject matter became more and more common and irritating as election day approached.

Campaign
crowds

On the whole the disadvantages of long-distance campaigning greatly outweigh its advantages. Of course people dearly love to see a presidential candidate and will travel many miles and turn out in enormous numbers to do so, but their motive may be curiosity, pure and simple, rather than political interest. Casual observers often interpret large popular outpourings during a campaign as heralding overwhelming victory in November, but experienced political managers are not subject to such delusions. In favor of long-distance campaigning it is said that candidates who possess unusual oratorical powers and a magnetic personality may profit by speaking to and meeting the largest possible number of people. And, of course, in the case of nominees who are comparatively unknown nationally it is deemed necessary that they should present themselves widely throughout the country. On the debit side of the ledger, however, the candidate on tour must reckon

with the noise, dust, confusion and nervous strain of ceaseless travel, the eternal handshaking which cannot be avoided and which wears out the strongest right arm, the necessity of making innumerable off-hand addresses in the course of which lamentable slips of the tongue are likely to occur, and the possibility of being taken in tow by the wrong local delegation, thus making more enemies than friends. The last named error, for example, was committed by Hughes in 1916, and contributed materially to his loss of the electoral vote of California and therefore of the Presidency. As to oratorical advantages the stay-at-home candidate who, limiting the number of his addresses, ponders and writes them out, is apt to fare better in the end because advance copies can be sent to the press throughout the country. Such speeches are more likely to be printed in full not only because of their early distribution but also because they deserve publication better than the frequent and casual utterances of the candidate on tour. Finally with the advent of the radio a front-porch candidate is able to talk even more easily to the people in every part of the country than the candidate who tries to make his home in a special train of Pullman cars.

In spite of the heavy margin of advantage in favor of the more restrained type of campaigning there have been several recent instances of "whirlwind" tours in the course of which candidates have visited the more important states and cities of the country and delivered addresses not only at large meetings but also from the rear of the observation cars to crowds gathered at every stopping point of the special train. Thus Bryan traveled over 18,000 miles in the campaign of 1896. Although given to somewhat heated criticism of Bryan, nevertheless as vice-presidential candidate in 1900 Roosevelt imitated and even bettered the "Peerless Leader's" methods, covering 21,000 miles and making nearly seven hundred speeches. During the pre-convention campaign of 1912, the country was treated to the decidedly undignified spectacle of a President of the United States, Taft, and a former President, Roosevelt, pursuing each other over the map in a rough and tumble canvass for primary votes. Hughes in 1912, Cox in 1920, and Smith in 1928 made "the swing around the circle"—all defeated candidates by the way but one must be cautious in applying the *post hoc, propter hoc* method of reasoning in this connection. On the other hand Wilson confined himself to addresses in a few large cities during the campaign of 1912. As President running for reelection

Recent
"whirl-
wind"
tours

four years later most of his vacation was spent at his summer home in Shadow Lawn, N. J., where on each Saturday afternoon he delivered telling addresses to large crowds of excursionists. A few trips were also made to large western cities. Harding followed much the same program in 1916, delivering most of his speeches from the front porch of his home in Marion, O. Following the custom established by McKinley in 1900, Coolidge delivered no partisan addresses during the 1924 campaign.⁹ In 1928, Smith as noted above made an extensive campaign, even carrying his daring as a "happy warrior" so far that he invaded states and sections of the country known to be most hostile to his cause. Hoover on the other hand was well aware of his oratorical limitations and confined himself to a few formal appearances before large audiences. It is certain that the number of voters in 1928 who heard what the presidential candidates had to say over the radio was largely in excess of the number of those who listened to either of them face to face. And it was the misfortune of Smith who is a very effective orator before an audience, that his voice as transmitted by microphone gave the impression of undue harshness and pugnacity. In particular his too frequent use of the word "raddio" jarred upon the super-sensitive ears of many listeners-in; however it may be assumed that this mispronunciation merely furnished excuse for other objections or prejudices which they held against the Democratic candidate.¹⁰ As to the long campaign tours undertaken by Franklin D. Roosevelt in 1932, it is likely that they were motivated not so much by oratorical considerations as by a desire to overcome rumors regarding the physical condition of the candidate.

Has
campaign
eloquence
declined?

A large number of critics, both foreign and domestic, lament the decline of campaign eloquence in the United States. Ostro-

* For an interesting statement by McKinley on this point see E. M. Sait, *American Parties and Elections*, p. 496. Among other things the former President observed: "Now I am president of the whole people, and while I am a candidate again, I feel that the proprieties demand that the President should refrain from making a political canvass in his own behalf." It is a very dignified statement, indeed, quite the sort of thing McKinley was accustomed to write whenever he prepared a state paper likely to be quoted by historians. In all probability, however, his attitude in 1900 and the similar attitude of Coolidge in 1924 were partly motivated by the fact that Republican victory was clearly foreshadowed in both years.

¹⁰ For racy and effective comment upon the oratory and strategy of the Hoover and Smith forces see R. V. Peel and T. C. Donnelly, *The 1928 Campaign* (1931), pp. 90 *et seq.*

gorski attributes this decline (1) to the advent of the machine and consequent deterioration of representative government; (2) the rise in the power of the press, from which, rather than the platform, people take their political convictions; and (3) the emergence of economic issues which lend themselves less readily to oratorical treatment than the burning issues of slavery and secession prior to the Civil War.¹¹ There can be no doubt that oratorical ability and acknowledged leadership, which at an earlier period were frequently united in one and the same person, are now more commonly dissociated. The leader or "boss" who has mastered the art of organization and manipulation, including particularly the raising of campaign funds, not only exercises greater power, but is also inclined to look with something closely akin to contempt upon the mere orator. On the other hand, it is generally admitted that the "spread-eagle" style of speaking, once so widely cultivated and admired, has been well-nigh laughed out of existence. It may be doubted, moreover, whether people take their political convictions from the press quite so trustingly as in the days of which Ostrogorski wrote. With regard to the difficulty of presenting economic issues in oratorical form, it may be conceded that the protective tariff was treated usually in an insufferably dull and narrow spirit. Nevertheless, economic issues are capable of developing a profound human appeal, as was shown especially during the campaigns of 1896 and 1912. The tremendous questions raised by the World War, the League of Nations, and the economic collapse of 1929 are certainly as susceptible to oratorical treatment as any of the issues that led to the Civil War. Nor is it by any means certain that present-day political eloquence is so greatly inferior to that of earlier periods as critics would have us believe. The campaign speeches of Theodore Roosevelt, Elihu Root, and Charles E. Hughes; of William Jennings Bryan, Woodrow Wilson, and Homer Cummings reached a high standard of excellence. More recently Charles G. Dawes for the Republicans, Claude G. Bowers for the Democrats, and Norman Thomas for the Socialists have proved themselves extremely effective orators. In the last analysis, however, it must be admitted that political oratory has been compelled to share its influence with that of the press and of the party machine.

On the other hand the development of radio transmission dur-

¹¹ *Democracy and the Organization of Political Parties*, vol. ii, pp. 308-318.

Radio
appeals

ing the last decade has given the human voice a range undreamed in past ages. This new factor first made itself apparent at the time of the national conventions of 1924 when many "crystal sets," now regarded almost as antiques, were still in use. Unquestionably the Democratic party entered that campaign with a heavy handicap due to the unfavorable impression made upon listeners-in by the tumultuous proceedings in Madison Square Garden.¹² By 1928 the improvement of the radio was so great and its extreme importance so obvious that the Republicans spent nearly half a million and the Democrats nearly six hundred thousand dollars on broadcasting alone during the campaign of that year.¹³ Not only were the proceedings of the national conventions made available to the whole country by extended hook-ups, but thereafter during the active canvass for votes the speeches of the presidential candidates and of their principal supporters were given the widest possible publicity on the air. Some measure of the scope of this new campaign agency is afforded by the fact that one of the national broadcasting systems advertises a complete radio coverage of the United States through 75 stations located in 69 cities. A basic charge of \$13,595 per hour during the evening (*i.e.*, from 6 P.M. on), is made for this service, the day rate being one half as much. Expensive as this may seem the number of receiving sets in use throughout the United States on July 1st, 1930, was estimated at 13,478,600, serving approximately 55,000,000 listeners-in or nearly one half the population.¹⁴ One of the peculiar advantages of the radio as a campaign agency is that it reaches not only urban dwellers but also the inhabitants of remote outlying districts who naturally are more addicted to its use. Already in 1931 detailed plans were being made by the great

¹² The author spent a week in attendance at the convention, afterwards following its proceedings much more comfortably by radio from his home. Noisy as were many of the demonstrations upon the floor when heard from the galleries, they seemed much worse when transmitted by microphone and reinforced by static.

¹³ The exact amounts as given in the Steiwer Report (Senate Report, No. 2024, 70th Congress, 2d Session, February 25, 1929) are as follows: Republicans, \$486,501.03; Democrats, \$592,184.32. In addition the Republicans spent \$1,020,202.37 and the Democrats \$660,492.56 for campaign speakers. Combining the two items it will be found that each of the parties devoted slightly more than 17 per cent of its total expenditures to oratory. For the total expenditures and a general discussion of the scope of the Steiwer Report, see the following chapter.

¹⁴ *World Almanac*, 1931, p. 171.

broadcasting systems to handle the conventions and campaigns of the ensuing year more efficiently than ever before.

The second principal method of reaching voters in the mass is by advertising and the distribution of political literature. It is becoming more and more the custom toward the end of hard-fought political campaigns to print full-page political advertisements which appear simultaneously in all the great dailies of the country. Of course this is extremely costly, but it is also extremely effective.¹⁵ Certainly the party which for lack of funds is unable to purchase space in this wholesale way is at a grave disadvantage. To minor newspapers and the foreign-language press a large amount of "copy" and even of "plate matter" in all sizes and of every description is regularly forwarded. The laws of a number of states which require that all political advertisements must be plainly marked as such are generally obeyed. Particular efforts, sometimes of a rather dubious nature, are made to enlist the influence of the foreign-language press.¹⁶ Toward the end of the campaign of 1928 the Republican National Committee announced that out of the 154 newspapers of this character in the country, no fewer than ninety-one, with a total circulation of 1,500,000 and representing nine different racial groups, were supporting Herbert Hoover, most of the remainder standing neutral.

Of course printed propaganda is much more effective when it does not reveal its origin, taking rather the form of editorial comment, distorted headlines, "colored" news, or the suppression of

Newspaper
propa-
ganda

Concealed
propa-
ganda

¹⁵ The cost of one insertion of a full-page political advertisement depends upon the number of agate lines per page and the special rate per line made for advertisements of this class. In 1931 the *New York Times* charged for each full-page political advertisement \$2,368 (Sunday, \$2,841); and the *Chicago Tribune* \$3,416 (Sunday, \$4,270). According to J. K. Pollock, *Party Campaign Funds*, p. 150, the volume of political advertising in newspapers had increased nearly 33 1/3 per cent in the ten years preceding 1925. Heavy as the above quoted charges for a full-page advertisement in metropolitan journals seem to be, they work out to an extremely small figure when circulation is taken into account. Thus the cost for such an advertisement in the week-day edition of the *New York Times*, with an average circulation of 466,793, is slightly more than 1/2 cent per copy, with no additional charge for postage or distribution. Of course many subscribers pay no attention to political insertions but the same is true of pamphlets sent by mail which, as we have already noted, are much more expensive.

¹⁶ On this point consult R. E. Park, *The Immigrant Press and its Control* (1922), particularly ch. xvi which deals with the amazing career both in peace and in war of Mr. Louis N. Hammerling, president of the American Association of Foreign Language Newspapers.

news.¹⁷ It is widely alleged and believed that powerful influences and large sums of money are used to secure journalistic support especially during national campaigns. Indeed, as was noted above, this belief has operated to reduce appreciably public faith and credit in newspaper discussions of political questions. With regard to the extent and character of the pressure thus alleged to exist it must be admitted that little is definitely known, nor is it the sort of subject that any but the most fearless of investigators would care to enter upon. President Taft, for example, was made to suffer severely from journalistic attacks merely because he proposed the curtailment of certain mailing privileges enjoyed by newspapers and magazines. From the point of view both of honest politics and of honest journalism the matter demands searching inquiry and the widest possible publicity. The only legal regulation in this connection is the federal act which requires newspapers and magazines to publish twice yearly the names of publishers, editors, and owners of any considerable number of shares of stock.¹⁸ On the other hand it must be admitted that much of the partisanship exhibited by the press is fair and sincere as judged by the standards of the day. Unquestionably newspapers make a tremendous contribution to the sum total of civic education in the United States. Thus the *New York Times Index* for July to December, 1928, contains 50 pages, double column, fine print, listing some 5,000 articles which appeared in that paper on the Hoover-Smith presidential campaign.

"Movies,"
"canned
speeches"

In addition to newspaper advertising, extensive use has been made of moving pictures in recent campaigns. Now that the "movies" have become "talkies" devices of this sort have been perfected and are employed much more frequently both for indoor and out-door meetings. In large cities fleets of motor-trucks equipped with projection apparatus and silver sheet are sent out to public squares or street corners. Each truck gives two or three performances an evening, half the time devoted to music and vaudeville perhaps and the other half to political oratory. Thus has the humble but individualistic soap-box of yore been increased and multiplied by American mass-production methods—of course with the loss of its pungent individuality. When television has

¹⁷ For a powerful indictment of the American press along these lines see Silas Bent, *Ballyhoo: the Voice of the Press* (1927).

¹⁸ U. S. Compiled Statutes (1918), p. 1155, Sections 7313, 7314.

been added to radio millions of political "fans" throughout the country may enjoy both seeing and hearing the proceedings in national conventions and in great political gatherings at the moment of their occurrence. Among other innovations of the last decade or so may be mentioned the "canned speeches" prepared for phonographic reproduction and used with more or less success in connection with films showing the candidate in action. Of course the foregoing are decidedly superficial methods of political education, but it must be remembered that the interest of many voters is also decidedly superficial.

Nor are billboards to be ignored—indeed it is impossible to ignore them during a campaign. By such means Vance McCormick saw to it that every voter in the country was reminded several times a day in the fall of 1916 that President Wilson had "kept us out of war." Four years later the Republicans plastered the billboards of the country from coast to coast with much more than life-size portraits of Senator Harding, whose rough-hewn lineaments lent themselves readily to this form of reproduction, each accompanied by some pithy utterance from his speeches or the party platform. Advertising of this sort is very expensive and not much can be said in its favor except that it familiarizes millions of voters with a few catch phrases and slogans. Considering the excessive number of billboards in the United States at all times, their unsightliness and the fire risks involved, it is to be regretted that the campaign managers of both parties do not enter into a self-denying agreement to limit or abandon their use.¹⁹

Billboards

Closely related to billboards in the nature of their appeal, although much less of a public nuisance, are campaign lithographs which usually present portraits of the candidates accompanied by slogans or brief excerpts from their speeches or platforms. Sometimes they carry caricatures or cartoons, but sarcasm in campaigning, fortunately perhaps, is much less common than in Europe. The American people seem to have an insatiable appetite for this lithographic "art," at least when distributed free of cost by political committees or by partisan newspapers. Indeed during recent campaigns it has been possible to ascertain at a glance the political inclinations of the residents of any city block merely by observing

Campaign
litho-
graphs

¹⁹ Not that it is at all easy to limit the billboard nuisance. On this point cf. C. E. Merriam, *Chicago*, p. 244, *et seq.*

whose statesmanlike features peer forth from a majority of the front windows and doors, while on our highways paper stickers or tin plates make equally evident the party preference of automobile owners. In the course of the 1920 campaign fifteen million lithographs of Harding and Coolidge were issued by the Republican National Committee. They were, of course, given without charge to all applicants but the cost of this one item as reported by Mr. Will Hays, Chairman of the Committee, was \$200,000.²⁰

Slogans

Both billboards and lithographs give wide currency to party slogans; indeed so commonly are they used that one might compile a sort of political history of the United States in brief merely by stringing them together. Thus in 1896, McKinley was presented to the nation as the "Advance Agent of Prosperity," his emblem being the rising sun. Bryan's retort was: "You shall not crucify mankind upon a cross of gold." In 1900 Mark Hanna pointed to the "Full Dinner Pail" and adjured the country to "Let Well Enough Alone," later boiling down this cautious sentiment during the Ohio senatorial contest of 1902 into the laconic poker phrase: "Stand pat!" Again in 1908 Bryan's slogan was "Let the People Rule." Vance McCormick's successful appeal to anti-war sentiment in 1916 was referred to above; Harding's winged words during the next campaign were "Back to Normalcy," and "Let Us Be Done with Wiggle and Wabble." The great appeal in 1924 was to "Keep Cool with Coolidge"; in 1928 we were invited to choose between "Hoover and Happiness or Smith and Soup Houses"; in 1932 to remember the "Forgotten Man." Metropolitan municipal campaigns are also punctuated by slogans. Tammany won the mayoralty election of 1897 in New York City to the somewhat vigorous refrain of "To Hell with Reform," but was defeated by Fusion four years afterward partly for lack of an adequate response on the part of Boss Croker to the pointed and persistent query: "Where Did He Get It?"²¹ And the municipal campaign of 1927 in Chicago was immortalized by William Hale ("Big Bill") Thompson's forceful but somewhat slangy remark that "If old King George doesn't keep out of Chicago, I'll crack him on the snoot."

²⁰ Kenyon Committee Hearings, vol. i, p. 1116.

²¹ A brief answer to this question which had been used more or less effectively against Croker from the time of his rise to power and wealth is presented by L. Stoddard, *Master of Manhattan: the Life of Richard Croker* (1931), pp. 122-129. It makes extremely interesting reading.

Campaign "literature," as it is somewhat flatteringly called, makes its appearance in bewildering profusion during our national campaigns and is also used, although to a much smaller extent, in state and local contests. The most elaborate productions in this field are the campaign text-books issued every four years by each of the major and some of the minor parties. Primarily these books are designed for the instruction of speakers and field workers rather than for the reading of the rank and file. In earlier years they were of hip-pocket size, but for 1920, while retaining the old format, the Democratic manual ran to 504, and the Republican to 496 pages. Subsequently they have become less unwieldy. One of the consequences of the depression which can be regarded without regret is a further marked reduction in bulk. Thus the Democratic Campaign Book of 1932 numbers only 103 pages as compared with 412 pages in 1928, the Republican book having fallen off to about the same extent. Formerly these manuals were distributed free although in rather limited numbers by the National Committees; nowadays as a measure of economy they are sold for 25 or 50 cents apiece.

Campaign
"litera-
ture"

Campaign text-books usually contain rather fulsome biographies of the party candidates, the platforms of both parties typically arranged in parallel columns with more or less extended annotations and references, the candidates' speeches of acceptance, special articles by various authorities, and extended quotations from speeches of Congressional or other party leaders on the principal issues of the campaign, glowing eulogies upon the party's record and unsparing criticisms of the opposing party's record—all supported by statistical tables and graphs and made available for instant reference by a copious index. Hastily prepared, often inaccurate and always partisan, campaign text-books nevertheless contain much information of value to the student of politics.

Campaign
text-
books

For popular reading the parties send out enormous quantities of other documents ranging from pamphlets and speeches of considerable length to leaflets and handbills. In local campaigns candidates' cards with photograph and brief appeal are widely used. The writer possesses one such of more than usual originality which reads as follows: "Publisher of the ——— Herald 23 Years. Justice of the Peace 19 Years. A Democrat 42 Years. Progenitor of Eleven Future Citizens, the Only Gang I Cater to. Self Starting, No Crank, Uncontrolled. I Need your vote Very Badly.

Pamphlets,
leaflets,
etc.

May I Have It? Thank You!" Owing to the haste with which they are prepared the campaign pleas of candidates sometimes achieve bizarre effects. Thus in 1932 a former general of the Marine Corps who was running for the Republican nomination to the United States Senate in the Pennsylvania primaries issued a leaflet making an appeal to former soldiers among others, particularly "to the poor fellows who are maimed or mentally wrecked." "I have always been one of them and I always will be," he incautiously added.

Titles of
campaign
docu-
ments

A large part of the bulk of campaign literature is made up of the party platforms, the "records," life stories, and character sketches of the candidates, the speeches of acceptance, and the keynote speeches of noted party leaders. Some idea of the nature of the other documents sent out by the Republicans in 1932 may be gained from the following titles: "Hoover Meets Two Crises, —Bold Relief Plan Lifting the Country Out of Depression"; "The Tariff Protects America from Inundation during Economic Storm"; "Economy Hoover's Guide Post—President Repulses Democratic Raid on the Treasury"; "Social Service—President Hoover Assumes Leadership in Social and Economic Reforms"; "Emergency Relief for Agriculture, Many Measures Taken to Protect Basic Industry"; "Seventy Million Americans Aided by Reconstruction Finance Corporation"; "Hoover's Fight for Labor"; "Chaos under Democratic Control, Leadership in House Fails in Most Critical Period of Nation's History"; "Calvin Coolidge Presents the Republican Case." Democratic headquarters were much less prolific in 1932; however they issued pamphlets entitled "Everybody's Political Primer" composed of cartoons and text in words of one syllable "good-humoredly dedicated to all voters, especially those who should have studied this primer in 1928 and now wish they had"; also "Labor and the President, a History of the Broken Pledges, Repudiated Platform Promises, Do-Nothing Policies of Republican Leadership"; "The Railroads: Republican Mistakes and Democratic Remedies"; and "Power: Protection of the Public Interest."

Other
campaign
devices

In addition to the foregoing principal means of reaching voters as individuals or in the mass, a number of miscellaneous campaign devices may be mentioned. To the past rather than the present belong "barbecues," "pole raisings," torchlight processions, dances, athletic meets and amateur theatricals. Clam bakes and

outings to a seaside or sylvan resort still retain popularity, particularly among the henchmen of some slum politician who pays all expenses. Emblems, ribbons, badges, and buttons are distributed by the millions in every national campaign.

Systematic canvasses of voters are sometimes made by party workers in doubtful districts or states. Large funds are needed to carry out this work on any considerable scale. If the necessary money can be secured two or even three canvasses may be made, ninety, sixty, and fifteen days before the election. Campaign managers attach considerable importance to the figures thus secured, especially as showing where the larger sums at their disposal may best be spent to secure results. On the other hand, voters are becoming more and more inclined to keep their intentions to themselves, thus frustrating to a degree the work of the canvassers. Women are inclined to be much more secretive than men on this score. Usually, however, a resourceful party worker can ascertain a voter's inclinations, if not from the voter himself, then from his neighbors or friends.

Systematic
canvasses

If funds are insufficient to cover the electorate of a given district as a whole, canvasses may be made among certain groups deemed particularly significant such as chambers of commerce, service clubs, or the employees of various industrial plants. Then, of course, there are the ubiquitous persons, mostly self-appointed, who, merely "to see which way the wind is blowing," take a "straw vote" in chance gatherings of every conceivable sort, even on suburban trains, always promptly communicating the results, such as they are, to "Mr. Editor." In nearly all cases inquiries made by canvassers relate to the fate of candidates. Sometimes, however, questions are asked regarding certain outstanding issues. In 1923, for example, Tammany workers made an intensive canvass of a New York congressional district to ascertain the attitude of the voters on prohibition, specifically whether they favored repeal outright of the Eighteenth Amendment or modification merely of the Volstead Act. Discovering that the former was strongly preferred the campaign was made on that issue with the result that the district, although normally considered Republican, was carried by the Democratic candidate. It is not always the case, however, that a canvass foretells the result correctly: there is the possibility of a last-minute shift on the part of a sufficient number of voters to upset the most careful calculations.

"Straw
votes"

*Literary
Digest
polls*

During the last three presidential campaigns private enterprise on the part of a weekly journal, the *Literary Digest*, has given the country polls of a magnitude far beyond anything previously undertaken by political workers, the results being forecast with approximate accuracy both times.²² In 1928 the *Digest* mailed out 19,000,000 ballots, return postage on which was guaranteed. Its huge polling list, the result of several years' work, was based originally on telephone books from all parts of the country, supplemented by lists of automobile owners and, in many places, by actual registration lists. All together 2,767,263 replies were received, a number nearly equivalent to one for every thirteen votes actually cast for the Presidency in November. Not only did the returns forecast clearly Hoover's victory, they indicated also the break-up of the Solid South and the loss by Smith of his own state. On the other hand they failed to foretell Democratic success in Massachusetts and Rhode Island; indeed the *Digest* poll gave Hoover these states by a two to one vote whereas Smith carried both of them by scant margins. Examination of the forecasts for both 1924 and 1928 shows that in each of these years the *Digest* overestimated the Republican and underestimated the Democratic percentage of the vote actually cast in the November elections. In the latter campaign, for example, Hoover was given 63.2 per cent of the poll vote but received 58.0 per cent only in the election; Smith was given 35.7 per cent only of the poll vote but received 40.7 per cent in the election. Four years earlier the *Digest* figures indicated a slightly larger vote for LaFollette than for Davis; nevertheless the former received less than five million and the latter more than eight million votes in November. Of course it is easy to explain away minor errors in forecasting as due to a last minute shift on the part of voters but the discrepancies just noted are much too large to be airily disposed of in that manner.

Error in
Digest
polls

In spite of the large degree of success hitherto achieved by the *Digest* polls it is apparent that the mailing list of that journal is so constructed, although no partisan animus need be assumed, that it unduly magnifies Republican strength. Telephone subscribers and automobile owners are likely to be somewhat above the economic average and therefore inclined to a conservative

²² Final tabulations for the two of the campaigns may be found in the *Literary Digest* for November 1, 1924, and November 3, 1928, with follow-up "I-told-you-so" articles in the issues for November 22, 1924, and November 24, 1928.

party attitude. Even if the vote of the *Digest* were greatly enlarged by further additions from registration lists it might still go astray since, for some inscrutable reason, Democrats seem less inclined than Republicans to answer questions regarding their party preference.²³ Whatever may be the fundamental error in the basis of the *Digest* computation it is of such a character that it counts for little when a sweeping Republican victory is in the offing as in 1924 and 1928. If, however, the Democrats were fated to win by so small a margin as that of Wilson in 1916 the poll would in all probability indicate Republican success up to the last minute. Under the circumstances it is only natural that Democratic publicists should criticize the *Digest* poll vigorously.²⁴ There may be some force also in the contention that the figures it publishes have a tendency to destroy the morale of the weaker party. Nevertheless they are but one among many factors having that tendency, in spite of which the Democracy, according to its own boast, has always remained "unterrified." Regardless of the above criticism the *Digest* poll has established itself as one of the fixtures of our national campaigns and the figures which it publishes weekly during their continuance are certain to be widely reprinted and read with intense interest by large numbers of citizens.

In 1932, the *Literary Digest* poll indicated a sweeping Democratic victory.²⁵ Figures published in the issue of that journal immediately prior to the election gave Franklin Roosevelt 59.86 per cent and Herbert Hoover 40.14 per cent of the popular vote. Actually the former received 59.14 and the latter 40.86 per cent. So far as the *Literary Digest* poll for the separate states was concerned two that were put in the Democratic column were carried by the Republicans and two others that were for Hoover according to the straw vote went for Roosevelt in the election.

Whether canvasses are made or not, party workers industriously prepare "poll books" which are indispensable for use on

*Literary
Digest
poll, 1932*

Poll
books

²³ Certain it is that the more radical addressees on the *Digest* list also answer more freely than others, witness the case of the LaFollette vote of 1924 cited above. An even more striking illustration was supplied the same year by the fact that Wallace, the Commonwealth-Land (Single-Tax) party candidate, received almost as many votes in the paper's poll as in the general election.

²⁴ See letter by Fabian Franklin, *New York Times*, October 15, 1928, 22:7.

²⁵ The whole subject is discussed critically in a Columbia University doctoral dissertation of 1932 entitled *Straw Votes*. C. E. Robinson, the author, finds a greater margin of error in the *Literary Digest* poll than in certain newspaper polls taken at the same time.

election day. These poll books contain the names of all the voters of a precinct, alphabetically arranged, with street and post-office addresses, and party affiliations indicated by abbreviations. Practical party workers may also keep secret records which, besides the above facts, give the color or nationality of each voter, his church affiliation, his employer, the names of persons to whom he owes money or is under other obligation—in short, any and all information which will aid in getting him to “line up right.” If the voter is venal these secret records may also show the price at which he is accustomed to sell out to one or the other party.

Prophecies
and bets

Throughout a campaign, but especially in the last few days before election, political managers on both sides make sweeping claims of victory; they even supply figures showing the magnificent majorities they are to receive in the larger number of states and cities and minimizing their losses elsewhere. Campaign bets are also placed, and the prevailing odds asked or offered in Wall Street are reported in the press for the political effect such news may have. It has been alleged at various times that political managers or enthusiasts have wagered large sums with the purpose of changing the betting odds. Whether manipulated or not Wall Street is by no means an infallible prophet regarding the outcome of elections. During the whole of the campaign of 1916, for example, the betting odds in the street indicated the election of Hughes; also gamblers were in error as to the outcome of the New York senatorial contests of 1922 and 1926. Nevertheless it is assumed that there is a “band-wagon vote” of uncertain proportions in the United States, composed of those persons who pride themselves in being always on the winning side and who take a particular and somewhat malicious pleasure in saying “I told you so” to all and sundry after the election is over. While it is to be hoped that pestiferous morons of the above type are relatively few in number, political managers evidently think there are enough of them to make it worth while to angle for their votes by publishing the betting odds and by making exaggerated eleventh-hour predictions of victory at the polls.

Campaign
lies,
“roor-
backs”

Campaign lies are unlimited in number, protean in form. Sometimes they assail the religious convictions of a candidate; more often they attack his personal life in language which is unprintable. Plain facts and issues are also frequently misrepresented, more or less adroitly, by public speakers and writers. In the heat

and hurry of a campaign much of this misrepresentation escapes detection. Even when "a lie is nailed" and retraction made, the lie, having the advantage of a considerable start and larger headlines, may outrun the retraction. One form of campaign falsehood has acquired a nickname of its own—the "roorback." It is a particularly atrocious lie set afloat in the last hours of a campaign in the hope that no denial will be fleet enough to overtake it. Of course campaign lying may be, and, as a matter of fact often is, overdone, the net reaction being favorable to the candidate or party unfairly maligned. No man of decent instincts, no newspaper of standing, will lend assistance to the propagation of political mendacity. Yet too often of recent years there have been disturbing evidences indicating the existence of subterranean campaigns of malicious gossip, organized and conducted on a national scale by competent publicity experts and supported by ample funds. Professor Beard observes that a political party is "a great whispering gallery"²⁶—an observation which, by the way, was quite true long before women were given the vote—but when into the tittle-tattle of personalities common in all large social groups there is deliberately injected the sort of poison gas regarding religion, sex morals, and the physical health of candidates which have formed the staple of recent "whispering campaigns," the results are worse than deplorable.

At times political managers consider it advisable to make every possible use of noise-producing and attention-arresting devices. In popular parlance this is called a "hoop-la," or "hurrah," campaign. At other times political managers go on a "still hunt" for votes and are said to be conducting a "gum-shoe" campaign. In the latter case they make quiet house-to-house visits or interview voters under cover, neglecting no precaution to keep the political enemy in ignorance of their manœuvres. By a back-door appeal of this sort to Denver servant girls Judge Ben Lindsey once saved himself from defeat.²⁷ Minority parties or factions in particular resort to "gum-shoe" methods and sometimes succeed in giving the overconfident majority a rude surprise on election day. However, by the use of "scouts" and spies and by noting the surface indications inseparable from most campaign methods, an astute

"Hoop-la"
and "gum-
shoe" cam-
paigns

²⁶ *The American Party Battle*, p. 27.

²⁷ See his *The Beast* (1910), pp. 56-57.

political manager usually contrives to learn as much of the strategy of the opposing party as he knows of his own.

Attempted
classifica-
tion of
campaign
methods

Attempts have been made to classify campaign methods as (1) those appealing primarily to the emotions; and (2) those appealing chiefly to the intelligence.²⁸ It is difficult, if not impossible, however, to draw the line between the two in practice. A mass meeting may be a frank appeal to crowd psychology, or again it may be conducted upon a high intellectual plane. Personal appeals may be base pandering to low instincts or clear-cut face-to-face argument, and so on with every item in the long list of campaign methods. While the distinction breaks down, therefore, as a basis of classification, it is valuable, nevertheless, as characterizing two kinds of appeal. In practice nearly every campaign method combines both intellectual and emotional factors in varying proportions. Nor does it follow that the latter are always low or base. There are emotions that ennoble as well as emotions that degrade. In the light of modern psychology it is plain that a campaign appeal of purely intellectual nature would affect a comparatively small circle of voters. Only by some appeal to the emotions are the great masses of men to be moved, and men must be moved in masses to achieve victory in politics. Comparing recent campaigns with those of the period before the Civil War, however, a marked tendency is observable to resort less and less to "hoop-la" methods or the ranker forms of emotionalism.

Climax
of the
campaign

Public campaign methods usually end with more or less climactic effect on the Friday or Saturday evening preceding the Tuesday of election. But the campaign is not over until "the last vote is in and counted." On Monday a determined but silent struggle begins. Final canvasses are checked up, last appeals are made personally to wavering voters, and, most dubious of all, the so-called "dough day" distribution of money to ward leaders takes place. On election day itself conveyances are provided to bring aged and infirm voters to the polls; political understrappers hang about the polls as close as the law allows to explain the ballot and to whisper eleventh-hour advice to voters; watchers with poll books check off early voters; and, beginning as early as two or three o'clock in the afternoon, telephones are set ringing to summon slackers and workers are sent out with motorcars to bring in the

²⁸ Cf. P. O. Ray, *Introduction to Political Parties and Practical Politics*, p. 255.

laggards. After the polls close, the watchers, from their observation posts just outside the railing, keep track as the vote is counted by the election officers. The latter process usually lasts into the small hours. With a long ballot which has been freely scratched, it may even take the greater part of the following day. As results are announced the tireless watchers dash to the nearest telephone and send them in to city or county headquarters.

Using the term broadly, it may be said that political campaigning is continuous in the United States. As soon as a primary or convention is over the defeated aspirants, and also the successful ones if they desire another term, may set to work "building fences" for the next primary or convention, to be held two or four years later. The public, however, seldom takes much interest in this premature campaigning, which is carried on largely among leaders and active party workers. Active campaigning, which involves an appeal to the electorate as a whole, may be divided into two periods: (1) the pre-election campaign or campaign proper; and (2) the pre-convention or pre-primary campaign.

A presidential campaign proper in the United States lasts from the national conventions held late in June or early in July to the election on the first Tuesday after the first Monday in November —altogether a period of four months. As we have noted, however, it does not become active until the latter part of August. But the campaign for the choice of delegates to the national conventions attracts public attention to a considerable degree for several months preceding the conventions. State and local campaigns are much briefer, lasting sometimes only from the primary late in September to the final election in November, while the pre-primary campaign is limited to the five or six weeks beginning with the date fixed by law for the circulation of nomination papers. As a rule state and municipal contests attract far less interest than national campaigns. Occasionally, however, a hard-fought battle in some large city creates as much of a furore locally as a presidential campaign, and may even attract attention throughout the country. Thus the mayoralty fight of 1927 in Chicago, immortalized by the slogan regarding King George, was followed with interest not unmingled with derision from coast to coast.²⁹ Four

²⁹ For a most fascinating account of this and other Chicago campaigns written by a political scientist who has also had wide experience in practical politics the reader should consult C. E. Merriam, *Chicago*, especially ch. viii.

years later the defeat for reelection of the author of that priceless sentiment was also widely heralded by the American newspaper press.

Are
campaigns
"bad for
business?"

There is a general conviction in the United States that our campaigns, particularly the quadrennial national struggles, are too long, also that they are "bad for business." In England general parliamentary election campaigns last from the dissolution of the House of Commons to the end of the period fixed in the election writs—that is, from four to eight weeks as a rule, although recently the intervals have been shortened to two or three weeks. Of course our ballots are much longer and involve a much greater variety of offices than the ballots used in England. So far as the disturbance to business caused by our presidential campaigns is concerned, it must be admitted that this is more frequently a subject of conversational complaint than of demonstration by statistics and economic argument. In spite of the haziness which enshrouds the subject, it seems likely, however, that business must be disturbed somewhat while a presidential campaign is actively in progress, although by no means to the same extent as during financial crises or widespread labor troubles. While a presidential campaign is being waged business men and their customers are more or less engrossed in political matters lying outside their immediate concerns. But the neglect thus occasioned is probably a small factor as compared with the uncertainty in business circles as to the way in which pending economic issues will be dealt with by one or the other major parties in case of its success. In any event it is noteworthy that the only depression of the last twenty years which coincided with a presidential campaign was that of 1920, and it is to be regarded as part of the aftermath of the World War rather than as the consequence of our internal political activities. In 1912 the trend of the business cycle was sharply upward; 1916 was characterized especially during its later months by unusual prosperity due in considerable part to the war; during the earlier part of 1924 general prices dropped rapidly only to make a sensational recovery when the presidential campaign got under way. Again in 1928 business, while fluctuating somewhat sharply, was above normal. The present depression started three years before the campaign of 1932. In the light of these facts it is impossible to believe that the economic cycle is greatly perturbed

by political struggles. On the other hand careful research might reveal certain minor effects of the latter upon the former.

Against such unsettlement of business as may fairly be charged to political factors and to these alone, must be set the education of the public, including business men themselves, on pending economic questions during campaigns. Moreover, it is of major importance to have fundamental issues affecting business decided by a popular majority, for decisions reached in this way are usually acquiesced in heartily by the public and thus possess a stability which means much for the safe conduct of future business. Finally it must be remembered that a long campaign period affords opportunity for thorough education of the electorate and the defeat of dangerous popular delusions.³⁰ Of course a popular delusion successful at the polls might be held up by the checks and balances of our government. But in this case the agencies of government responsible for the delay would be accused of thwarting the will of the majority. No doubt the people "have a right to make their own mistakes" and to acquire wisdom through experience, but that may be a costly and at times a disastrous process. Manifestly it is more satisfactory to defeat a popular delusion by a "campaign of education" resulting in a vote against the erroneous policy.

Utility
of
campaigns

From the point of view of a political manager all the different methods and modes of campaigning sketched above must meet one test, that of success. To what extent are political victories actually won by speeches, radio, documents, advertising, canvassing, and all the other devices employed by experienced leaders? Judging from the eagerness with which funds are collected for these purposes, great confidence must be reposed in their efficacy. Experts are agreed, however, that no amount of campaigning will save a party from a popular determination to chastise it. On the other hand, if a landslide is coming in favor of a party, all that its managers have to do, although they will seldom admit the fact, is to guide it into the proper channels. But landslides are not everyday occurrences, nor is it always certain that they will arrive according to prediction. Given the far more common case of an apathetic electorate and of a fairly even division of strength between parties, there is good reason to believe that the right

Effective-
ness of
campaign
methods

³⁰ Cf. H. Croly, *Marcus Alonzo Hanna*, chap. xvi.

combination of campaign methods supported by adequate funds will win the victory.

Research
needed
on value
of each
campaign
method

In practical politics it is a question not merely of the value of campaign methods in general, but rather of the extent to which each method should be carried within the limit of available resources, and also of adjusting the various means employed to the exigencies of the campaign and to the peculiarities of the population in different districts. Considering the large sums constantly being spent for political propaganda, it is rather remarkable that we have no better guides in this field than certain traditional rules of thumb and the idiosyncrasies of the campaign managers in temporary command. By the employment of research methods similar to those applied in analyzing business concerns, efficiency experts should be able to throw some light on the relative value of advertising, distribution of documents, speakers' bureaus, radio broadcasting, and each of the other principal methods of campaigning.³¹

Abuses in
campaign-
ing

Finally from the point of view of the public it is supremely important that campaign methods should be fair and honest. Yet as a matter of fact, every one of the long list of devices discussed above is subject to abuse, although in varying degrees. Personal canvassing, for example, because of its confidential character, readily lends itself to libelous attacks on character and to gross misrepresentation of public issues. The payment of helpers to distribute literature, work at the polls, drive cars, or perform any other of the thousand and one tasks of practical politics may be made so generous as to amount to tacit bribery. Similar "generosity" may be shown in the purchase of campaign supplies, the renting of halls, of carriages and motorcars, the distribution of contracts. Voters may be promised appointive government offices or employment with public-service corporations for their support. Or they may be bribed outright either to vote or to abstain from voting.

Money in
campaigns

The scriptural text that "love of money is the root of all evil" is thought to apply with peculiar force in politics. It is evident, however, that some of the abuses which have grown up in connection with campaign methods are not due to money alone. In petty contests where no candidate or party has a fund of any size cases

³¹ Edward L. Bernays, *Propaganda* (1928), criticizes trenchantly present campaign methods from the point of view of a public relations counsel.

of mendacity, trickery and trading are much too frequent. In all large-scale contests, however, gross abuses require the lavish use of money. For this reason our next subject—the collection and expenditure of campaign funds—is a major problem of American party politics.

BOOK NOTES

No STUDENT of politics can afford to neglect *R. V. Peel and T. C. Donnelly, *The 1928 Campaign* (1931), a thorough analysis of pre-convention tactics, and of the conventions, organization, issues, tactics, strategy and traits of leadership which it exhibited. At present Professors Peel and Donnelly are preparing a similar comprehensive study of the campaign of 1932 for publication early in the following year.

Collections of campaign documents and "literature" from current or recent campaigns form a useful basis of study in this field. Students should be required to compare such publications as to their accuracy and effectiveness. **Campaign Text Books*, which are described somewhat fully in the present chapter, are the most extensive and valuable compendiums of partisan literature. Attendance at campaign meetings of various parties and reports thereon for classroom discussion and criticism greatly enhance the interest and effectiveness of the study of party activities.

Campaign methods naturally enlist the most active attention of practical politicians, but they have received rather scant treatment at the hands of scientific writers. Nevertheless, helpful brief accounts are presented by M. Ostrogorski, *Democracy and the Organization of Political Parties*, Vol. II, Part 5, Chs. IV-V (1902), *Democracy and the Party System*, Chs. IX and X, by the same author; James Bryce, *The American Commonwealth*, Vol. II, Chs. LXXI-LXXIII; and C. E. Merriam, *American Party System*, pp. 308-329 (1929). A large amount of material may also be found in A. K. McClure, *Our Presidents and How We Make Them* (1903); J. B. Bishop, *Our Political Drama* (1904) and *Presidential Nominations and Elections* (1916); F. Kent, *The Great Game of Politics* (1923), and *Political Behavior* (1928); and in the many biographies of political leaders referred to under earlier chapters. *Behind the Scenes in Politics* (1924), anonymous, is marred by a "know-it-all" tone, but contains many shrewd observations on campaign methods. The broader background of public opinion which must be reckoned with in all campaigns has been discussed thoroughly by A. L. Lowell and Walter Lippmann in the books referred to under Ch. III.

CHAPTER XIII

CAMPAIGN FUNDS AND CORRUPT PRACTICES ACTS

High cost
of cam-
paigning

UNTIL recently the high cost of campaigning kept pace with the high cost of living in the United States. In the Buchanan-Frémont campaign of 1856 the total amount at the command of the Democratic National Committee was less than \$25,000. Four years later the Republican National Committee expended a little over \$100,000 on behalf of Lincoln.¹ Estimates are lacking as to the sums expended during the period of reconstruction, but no doubt they were extremely modest as compared with more recent developments. Most of the money collected at that time came as personal contributions in small amounts from office holders, candidates, job hunters, and enthusiastic partisans.

"Fat
frying"

With the emergency of the tariff issue in national politics it became possible for Republican campaign collectors to secure large contributions from protected manufacturers—a process known colloquially as "fat frying." At the same time Democrats were accused of "milking" the large importing interests of the country, which, naturally, desired lower duties. Of these two sources, however, the former was much more productive. The consequent growth of campaign funds in the 'eighties led to many heated protests against the use of money in politics. Nor can there be any doubt that money was used at this time for the direct bribery of voters to an extent which nowadays would be impossible. In the campaign of 1888 the pivotal state of Indiana was flooded with two-dollar bills, then the current price of a vote, and Democrats made much political capital out of a letter said to have been

¹ The figures quoted for 1856 and 1860 are given by Perry Belmont, "Abolition of the Secrecy of Party Funds," *U. S. Senate Doc. No. 495, 62d Cong., 2d Session* (Washington, 1912). In contrast with these very modest figures, however, it should be noted that Seward's candidacy in the Republican national convention of 1860 was seriously damaged by the charge that his backers had procured a campaign fund of from four to six hundred thousand dollars by the corrupt granting of franchises for street railways in New York City. Cf. J. F. Rhodes, *History of the United States from the Compromise of 1850*, vol. ii, p. 461.

written to local party leaders by W. W. Dudley, treasurer of the Republican National Committee, containing the sentence: "Divide the floaters into blocks of five and put a trusted man with the necessary funds in charge of these five, and make him responsible that none get away and that all vote our ticket."²

During the last two decades of the nineteenth century emergence of the railroad, currency, and trust issues in national politics enormously increased the number and productivity of the sources from which large campaign contributions could be secured. Not until 1896, however, did the subject attract any large amount of popular attention, nor were reliable and fairly comprehensive figures made available prior to the campaign of 1912. Nevertheless certain estimates of earlier date are sufficiently accurate to deserve quotation. Thus in 1892 the Republican National Committee spent \$1,500,000, and finished the campaign some hundreds of thousands in debt.³ Under the leadership of Mark Hanna, who devised a system of assessments on banks, insurance companies and large corporations, the National Committee of that party collected \$3,500,000 during the free-silver campaign of 1896—a high-water mark which was not exceeded for nearly a quarter of a century.⁴ At least that was the figure shown by the audited accounts of the committee, but other estimates of the total Republican expenditures during the first McKinley-Bryan campaign ran as high as six or seven million dollars. Yellow journalists and irresponsible politicians did not hesitate to charge that the real figure was close to twelve millions. Wherever between these extremes the truth may be found, certain it is that ever since Hanna's record-making achievement in 1896 the question of campaign financing has remained to plague American politics. Estimates of the Democratic campaign fund for 1896 run from \$650,000 to \$1,700,000. In 1900, Hanna collected \$2,500,000 for the Republican National Committee, not all of which was used. The Standard Oil Company contributed \$250,000 in 1896 and again in 1900, but at the end of the latter campaign \$50,000 was returned to the officials of that corporation.⁵ For the support of

High-
water
mark 1896

² D. R. Dewey, *National Problems, 1885-1897*, p. 144.

³ H. Croly, *Marcus Alonzo Hanna*, p. 220.

⁴ H. Croly, *op. cit.*, p. 219. In the case of banks the assessment was reported to have been one-quarter of one per cent of their capital. Generally it was paid promptly and without question or protest.

⁵ *Ibid.*, pp. 322, 325.

Bryan in 1900 the Democrats are said to have had only \$425,000. Estimates of the campaign funds at the disposal of the national committees of the parties for 1904 are as follows: Republican, \$1,900,000; Democratic, \$700,000; and for 1908, Republican, \$1,655,518; Democratic, \$900,000.

Statistics
since 1912

Beginning with the campaign of 1912, reliable statistics are available showing campaign receipts and expenditures of the national committees of the two principal parties, as follows:

NATIONAL COMMITTEE ACCOUNTS, 1912-1928⁶

Year	Republican Party		Democratic Party	
	Receipts	Disbursements	Receipts	Disbursements
1912 ⁷	\$1,076,391.51	\$1,076,548.57	\$1,159,446.33	\$1,134,848.00
1916.....	2,445,421.19	2,441,565.05	1,808,348.16	1,684,589.74
1920.....	3,833,152.14	4,022,580.09	1,353,902.12	1,318,274.02
1924 ⁷	3,419,217.29	3,063,952.74	965,520.38	903,908.21
1928.....	5,715,691.63	4,064,517.69	5,178,494.55	3,157,453.46

Boom
times and
depression
1928 and
1932

In addition to the amounts stated in the above table as having been spent in 1928 by the Republican and Democratic national committees large sums were also spent as usual by state committees and other auxiliary organizations. Exclusive of the expenditures by district, county, city and precinct committees—which were lavish—the totals for that year were reported as follows: Republicans, \$9,433,604; Democrats, \$7,152,511. A widely different tale will be told when figures for the depression year 1932 are finally made available. According to a preliminary statement published on the eve of the election the Democratic National Committee had expended \$1,261,412 on behalf of Franklin D. Roosevelt, and the Republican National Committee, \$1,960,290 on behalf of Herbert Hoover.⁸ On the same date four years earlier the

⁶ Figures from 1912 to 1924 inclusive from J. K. Pollock, *Party Campaign Funds*, p. 27; for 1928 from Steiwer Committee Report, Senate Report No. 2024, 70th Congress, 2d Session, p. 7.

⁷ The Progressive party of 1912 spent \$670,000. In 1924 the LaFollette National Committee account showed disbursements of \$221,937.

⁸ Figures published by the Clerk of the House of Representatives, January 6th, 1933, show that the Republicans spent \$2,670,000 during the campaign of the preceding year, of which \$1,822,000 went to the National Committee. The

Democrats had spent $3\frac{1}{3}$, the Republicans $2\frac{1}{2}$ times as much money, as in 1932. It will be observed that the only recent campaign during which the Democratic National Committee had larger receipts than the Republican was that of 1912, when the bolt of the Progressives under Roosevelt occurred. In 1916 the income of the Republicans was a third larger; in 1920 it was nearly three times, and in 1924 it was three and a half times as large as that of the Democrats. However during the campaigns of 1928 and 1932 the national committees of the two parties had nearly equal amounts of money at their disposal.

The sums disbursed by the national committees as given above are only part of the total amount spent during a national campaign. Congressional committees, state committees, county, city, and other local committees, other political organizations and private persons as well, raise funds considerable in the aggregate, although, of course, most of these are used for the benefit of party candidates in addition to those running for the Presidency and Vice-Presidency. It is impossible to allocate these various sums as between national and other candidates. Nevertheless, it is well known that during a national campaign the fate of state and local candidacies follows the fortune of the presidential aspirants to a large degree.

Expenditures of other committees

Thanks to the exhaustive and painstaking work of the Senate Committee on Privileges and Elections under the leadership of former Senator William S. Kenyon, it was possible for the first time in the history of the country to summarize all the expenditures made in a presidential election—that of 1920—from the national committees down to and including the state committees in all the forty-eight states, as in the following table.

Kenyon committee on expenditures of 1920

The grand total for both parties in the presidential campaign of 1920, as shown by Senator Kenyon's figures, is \$10,338,509.92. This does not include the sums spent on behalf of candidates during the primary campaign preceding the national conventions. The Kenyon Committee investigated the latter subject, however, developing the fact that the total spent in the interest of ten Republican

Campaign totals for 1920

largest individual contribution, that of Harvey Firestone, was slightly in excess of \$20,000. Reports filed by the Democratic National Committee at the same time stated its expenditures to be about \$2,250,000. Both parties ended the campaign with a deficit, that of the Republicans amounting to \$195,000, and of the Democrats to \$769,000.

EXPENDITURES IN THE CAMPAIGN OF 1920⁹

	Republican	Democratic
National Committees.....	\$5,319,729.32	\$1,318,274.02
Congressional Committees.....	375,969.05	24,498.05
Senatorial Committees.....	326,980.29	6,675.00
State Committees.....	2,078,060.55	888,323.64
Totals.....	\$8,100,739.21	\$2,237,770.71

aspirants was \$2,859,551. For seven Democratic candidates \$120,482 was spent. With these additions the total ascertained cost of President-making in 1920, including both pre-convention and post-convention expenditures, was \$14,318,542.92.

Borah
and
Steiwer
reports

According to the report of the Borah committee which investigated the campaign finances of 1924, the state committees of both the Republican and Democratic parties spent in that year somewhat more than half the amount spent by their national committees.¹⁰ Four years later figures collected by the Steiwer committee, summarized below, made it appear that the sums spent by the state committees had reached an unprecedented level; indeed in the case of the Republicans they exceeded the expenditures of the National Committee, while on the Democratic side they amounted to more than 75 per cent of the expenditures of the National Committee.

EXPENDITURES IN THE CAMPAIGN OF 1928¹¹

Party	National Committee	State Committees	Other Organizations	Total
Republican...	\$4,064,517.69	\$4,761,957.36	\$ 607,129.25	\$9,433,604.30
Democratic...	3,157,453.56	2,445,407.33	1,549,650.57	7,152,511.43

It must not be assumed, however, that the actual importance of national committees in the financing of presidential campaigns

⁹ Senate Report No. 883, 66th Cong., 3d Sess. (Washington, 1921.)

¹⁰ Senate Report 1100 (1925), p. 2. Republican state organizations spent \$2,356,715.43; Democratic, \$564,023.30. The Progressive state committees spent \$235,913.38.

¹¹ See p. 26, Steiwer Committee Report.

is declining as compared with that of state committees. On the contrary since there are 48 of the latter in each party the sums handled by any one of them are relatively small. Still more important is the fact that many state committees draw a large part of the money they use in presidential campaigns from the national committee of their party. What happened in 1928 was that both parties had abundant funds in their national coffers, hence the Republican National Committee was able to send out sums aggregating \$2,191,593.16 for use in 37 states; the Democratic, sums aggregating \$2,184,896.43 for use in 39 states. It is true on the other hand that transfers of funds are made from a few state organizations to the national committee, but the main financial current is strongly outward rather than in-bound.¹²

State
committee
funds

Owing to the relative abundance of contributions during the 1928 campaign it is probable also that the expenditures made by various committees and organizations other than the state committees were much larger than usual.¹³ However this may be, the Steiwer committee deserves credit for delving as far as possible into so difficult a field of campaign finance. As the above table shows, such committees and organizations spent over six hundred thousand dollars on behalf of the Republican and more than a million and a half on behalf of the Democratic candidates. Among the somewhat motley array of organizations concerned the following were most prominent: *Republican*—Anti-Saloon League, \$165,326; National Women's Committee for Hoover, \$92,010; National Democratic Constitutional Committee, \$89,207; Hoover for President Engineers' Committee, \$65,102; and the Flying Squadron Foundation, Inc., \$54,000; *Democratic*—Association Against the Prohibition Amendment, \$453,700; Citizens' Committee of Illinois, \$257,639; Agricultural Leagues, \$193,599; In-

Campaign
funds,
1928

¹² In 1928, eleven state organizations made transfers of funds amounting all together to \$826,056.42 to the Republican National Committee, the heaviest contributions coming from Pennsylvania—\$547,000; and California—\$208,372.92. Seven state organizations made transfers totaling \$266,463.88 to the Democratic National Committee, the largest amounts being sent in by Kentucky, \$136,000; and by Illinois, \$100,000. For further details see table, p. 8, of the Steiwer Committee report, which affords a basis for very interesting comparisons as to the centers of financial strength and of political weakness of the two parties in 1928.

¹³ For extremely helpful figures from a number of states on district, county, city, and various unofficial or party committees see J. K. Pollock, *Party Campaign Funds*, pp. 39-61.

dependent Citizens' Committee, \$161,823; Smith Independent Organizations Committee, \$155,904; Smith-for-President Colored League, \$153,629. Among other organizations listed smaller sums were spent for Hoover and Curtis by the Anti-Smith Democrats, the National Women's Party, Women's Christian Temperance Union, and the Women's Law Enforcement Campaign Committee; for Smith and Robinson by the Federal Dispensary Tax Reduction League, the Liberal Republicans, the Smith Lawyers' Committee, the Smith and Freedom Club, and the All Party Smith-Robinson Clubs. A small minority of these organizations had receipts largely in excess of their expenditures, and were thus in a position to turn over the surplus to the national organization, the most conspicuous instances being the Ways and Means Committee of the Republican National Committee for Pennsylvania which raised \$683,565 and spent only \$34,618; and the Independent Citizens' (Smith) Committee which had receipts of \$303,859 and expenditures of \$161,823. Of the remaining organizations two-thirds broke even, the others incurring deficits, the presumption being that the latter received subsidies from above.

Estimated
totals

Searching as were the processes of the Kenyon, Borah and Steiwer committees which produced the above figures, it must be remembered that they did not attempt to include the sums, doubtless considerable in the aggregate, collected and spent by district, county, city, and other local committees. While the Steiwer committee, as we have noted, made a valiant attempt with considerable success to secure data from political organizations other than parties the full story of the financial activities of such bodies has not yet been told. A variety of groups not primarily political in character and many individuals interest themselves, sometimes rather heavily, in the outcome of presidential elections and it would be an Herculean labor to run down their accounts, assuming that the latter could be secured. Three years after the 1928 campaign, for example, the Nye committee has encountered obstacles, so far insuperable, in ascertaining the facts regarding funds used to stir up religious animosities during the Hoover-Smith battle. In short it is doubtful whether any investigation of campaign expenditures has succeeded in getting all the facts regarding various special funds, usually those employed for the most suspicious purposes. Certain it is that in the more scandalous cases

of this nature public assertions made by political leaders and by the press always specify sums largely in excess of those stated by the investigating committee. Bearing all these factors in mind, Professor Merriam's estimate of \$20,000,000 as the total outlay of the two major parties in a presidential campaign was doubtless well within the facts down to 1928. This did not include election costs proper, which are estimated at \$10,000,000, nor the costs of the primaries. The assumption made by Professor Merriam that equal amounts were spent by the two major parties seems to be in conflict with the figures given in the tables above, except for the years 1912, 1928 and 1932.

While the largest aggregate sums are spent in national campaigns, it is by no means unusual to employ money freely in contests of lesser scope. Particularly has this been true in senatorial primaries and elections—witness the sensational Newberry case. The Willis amendment to the resolution seating Newberry, January 12, 1922, stated that \$195,000, or possibly "some few thousand dollars in excess," was used in the Michigan primary, and admitted that the expenditure of such excessive sums was "harmful to the honor and dignity of the Senate and dangerous to the perpetuity of a free government." New high records were set, however, in the Pennsylvania senatorial and state-wide primary of May 18, 1926, incomplete figures for which show total expenditures of over \$2,500,000. Of this \$195,000 was spent to advance the candidacy of Pinchot, \$611,000 for the ticket headed by Vare, and \$1,630,000 for the ticket headed by Pepper. Professor Merriam estimates the expense of a state campaign in a state of average size—say of 3,000,000 population—at \$100,000, not including the cost of county and local campaigns carried on at the same time. In metropolitan cities like New York and Chicago from \$200,000 to \$1,000,000 may be used. Even ward contests may cost \$25,000 and, if hotly contested, considerably more.

Since the days of Mark Hanna large campaign contributions by individuals have been under heavy fire. Radical parties continually bring them forward as proving the dominance of great combinations of capital over our government.¹⁴ Even in wide circles of the population not touched as a rule by Socialist or Communist propaganda apathy or repugnance to politics is frequently ex-

Money
used in
other con-
tests

Large
individual
contribu-
tions

¹⁴ See references to the Socialist and Communist platforms of 1928 and 1932, ch. vii and Appendix.

plained on this basis. At other times to be sure the use of large sums of money in campaigns results in a hard-boiled attitude expressed in one of the Republican campaign songs of 1924 as follows:

"When we get to Washington, home, sweet home,
We won't give a darn for the Teapot Dome!"¹⁵

However not only radicals but the more progressive adherents of the older parties have protested against large campaign contributions. Thus Senator McKellar of Tennessee pertinently inquired: "Can any reasonable person take the position that the contribution of hundreds of thousands of dollars to further the political fortunes of a candidate will not, in the ordinary course of events, influence the acts of such a person in the event of his election to office? . . . Can any one think that such gifts are gifts without strings to them?"

Defense of
large cam-
paign ex-
penditures

In defense of large campaign expenditures the plea is sometimes made that they are rendered necessary by the size of the country. Owing to the enormous number of voters sums running in the aggregate to more than twenty millions of dollars are reducible to very small per capita amounts. Even in the boom year 1928 each vote polled by the Democrats cost them 48 cents while each Republican vote cost only 44 cents.¹⁶ Increasing commodity costs must also be taken into account in comparing recent with earlier campaign funds.¹⁷ Further, it is alleged that the use of campaign funds is far more innocent today than in the "rotten 'seventies and 'eighties" of the last century. No doubt comparatively little is now spent for bribery or other directly corrupt purposes. Of recent years most of the money has gone for necessary publicity, for propaganda, partisan, of course, but including a con-

¹⁵ Cf. R. S. and H. M. Lynd, *Middletown*, p. 421.

¹⁶ Cf. Louise Overacker, *Money in Elections*, p. 75. Costs vary widely from state to state. In Arizona, for example, each Republican vote cost \$1.75; in Maine, 3 cents. Each Democratic vote in Nevada cost \$4.46; in the state of Washington, 5 cents.

¹⁷ Thus Dun's wholesale price index number for 1896 was 74.3; for 1920 it was 260.4. In the campaign of the former year the total of the lowest estimates of the amounts spent by the national committees of both parties was \$4,150,000; in the campaign of the latter year it was \$6,638,103. On the basis of Dun's figures it could be shown that the larger absolute expenditures of 1920 had less than half the purchasing power of the smaller fund of 1896.

siderable amount of educational matter regarding public men and measures.¹⁸ In some quarters it has been asserted that large campaign funds are, as a rule, pure waste.¹⁹ No doubt much of the money is disbursed extravagantly, especially when the funds provided are lavish, but the political effectiveness of ample resources, carefully handled, is beyond question.

On the other hand, it is clear that campaign funds have increased in the United States out of all proportion to the growth of the electorate and the rise of prices. Following the excessive figures of 1896 more moderate expenditures characterized the campaigns from 1900 to 1916 inclusive, but 1920 broke all records. No doubt some of the worst abuses of the system have been wiped out by legislation and public opinion, but the system itself remains and is increasing its demands. Although there is less direct bribery of voters than formerly, it must not be forgotten that the lavish use of money even for legitimate purchases indirectly procures support. Perhaps the greatest evil of the system is that it discourages the candidacy of men of high character and public spirit who are unable themselves to make the large financial sacrifices required, or unwilling to assume the obligations, tacit or express, involved when others make them in their behalf. Millionaires inclined to "open a bar'l" or machine candidates who can tap the resources of the organization have an enormous advantage over other candidates. Finally the reactions of the system are dangerous not only to politics, but also to business. As Croly in his discussion of Hanna's methods puts it, "the very means which was taken by business to protect itself against hostile political agitation was bound in the long run to inflame the irritation."²⁰ The same writer calls attention also to the fact that as soon as the system "began to work in favor of only one of the two political parties it was bound to be condemned by public opinion." In short, there is abundant justification for the conclusion of Senator Kenyon that "the expenditure of these vast sums is a present and growing menace to the nation."

Objections
to large
campaign
expendi-
tures

¹⁸ For an effective statement of the case from this point of view, see Talcott Williams, "High Cost of Elections," *Century*, vol. cii, p. 409 (July, 1921).

¹⁹ Cf. "What Becomes of the Millions in Campaign Contributions," *Literary Digest*, vol. lxvi, p. 57 (July 3, 1920). The fallacy of too-large funds is admirably exposed by R. V. Peel and T. C. Donnelly, *The 1928 Campaign*, p. 41.

²⁰ *Op. cit.*, p. 326.

CORRUPT PRACTICES ACTS

Purposes
of Corrupt
Practices
Acts

The general acceptance of this conclusion is shown by a flood of legislation which, beginning in 1890, has continued to the present day.²¹ Four main purposes are aimed at by these Corrupt Practices Acts, as follows:

- Publicity of campaign contributions and expenditures.
- Prohibition or limitation of campaign contributions.
- Definition of legitimate and illegitimate forms of expenditure.
- Limitation of the total amount to be expended.

Publicity

To secure the first objective of Corrupt Practices Acts, namely, publicity of campaign contributions and expenditures, all candidates and campaign committees are required to make reports, either prior to or following the primary and general elections. In some cases carefully itemized statements, accompanied by vouchers for all sums of any considerable size, say in excess of \$10, must be submitted. To fix responsibility and prevent evasion most of the more recent laws contain detailed provisions regarding the formation of campaign committees and the registration of the names and addresses of their officers, particularly the chairmen and treasurers. In 1920 New Jersey devised a scheme whereby campaign managers are required to deposit all their funds in, and expend them through a national bank, state bank, or trust company.²² To prevent evasion by others than members of official campaign committees many states require either that all contributions except candidates' expenses be made to authorized committees or else that all persons or groups other than candidates or committees shall themselves make reports to a designated state official.²³ On this point an important decision was handed down by the New York Supreme Court in 1923, holding that as "an active participant to aid and defeat candidates," the Anti-Saloon League of New York was obliged to file a statement of expenditures, but the opinion was reversed a year later by the Court of Appeals (238 N. Y. 457), on highly technical grounds. It is a matter of common knowledge, however, that campaign committees

²¹ Cf. M. A. Schaffner, *Wisconsin Bulletin on Corrupt Practices at Elections*.

²² L. 1920, chap. 349.

²³ Cf. New York Election Law, art. 16, § 540; Wisconsin, L. 1915, chap. 499, s. 4; Nebraska, L. 1909, chap. 54; U. S. Stat., chap. 392, 61st Cong., 2d sess.

outside the regular party organizations frequently ignore the provisions of the law which require them to make reports. Violations of such provisions by candidates and committees are punishable either by fines which are sometimes increased if the delay is long continued;²⁴ by imprisonment in case of willful contumacy; by not printing the name of the candidate on the primary ballot; by refusal to issue certificates of election; or even by invalidating the election of the successful candidate.

A few states require that reports be made of contributions of personal service as well as of money. Thus in Florida a primary candidate must include in his final report the names of his political workers and state for what consideration, if any, the work was done.²⁵ A federal statute also requires candidates for Congress or the Senate to report every promise or pledge made by or for him with his consent, and expressly forbids the promise of offices.²⁶

Reports of
personal
service

In cases of open scandal over campaign contributions or expenditures it has been the usual practice for candidates to disavow all knowledge or responsibility, throwing the blame entirely upon their campaign managers. One method to break up this alleged moral insulation is suggested by a provision of the New York election law which requires that officers, members or employees of political committees in primary and election campaigns shall within three days, upon demand, and in any event within fourteen days, make a detailed account of all receipts, expenditures, promises or liabilities to the candidate or to the treasurer of the committee.²⁷

Establish-
ing respon-
sibility

The greatest controversy occasioned by the publicity sections of Corrupt Practices Acts related to the date of filing reports of contributions and expenditures, whether before or after the election. No doubt publicity even after the election, assuming that it is complete, tends to discourage the worst abuses of campaign financing. But if publicity is to have any effect upon the result of the election it must be made available to the public before the end of the campaign. In spite of the unquestioned superiority of pre-election publicity, most of the state laws still specify dates follow-

Reports
before or
after
elections

²⁴ Montana and Oregon, for example, impose fines of \$25 for each day of delay beyond the time set for filing reports.

²⁵ L. 1913, § 19.

²⁶ U. S. Stat., chap. 33, 62d Cong., 1st sess.

²⁷ N. Y. Election Law, art. 16, § 544.

ing the election.²⁸ However, several states require pre-election reports, followed, of course, by final statements after the election.²⁹ New Jersey (L. 1918, ch. 184) requires a periodic accounting from candidates during a period of eight months which must be brought down to date on the Friday or Saturday next preceding the election and completed twenty days afterward. A federal law passed in 1911 required treasurers of political committees to report not more than fifteen nor less than ten days before a congressional election and on each sixth day thereafter until such election, final statement to be made not later than thirty days after election.³⁰

Corporate
contribu-
tions pro-
hibited

Corporations, particularly insurance, banking, railroad and franchise corporations, are prohibited from making campaign contributions by most of the existing Corrupt Practices Acts in the various states and by federal laws passed in 1907 and 1909. Penalties include stiff fines for each offense, imprisonment of the responsible officers or agents of the corporation,³¹ and in some cases revocation of the charter or permit to do business in the state. Alabama and Louisiana prohibit not only contributions from corporations generally, but also contributions from any person, trustee, or trustees owning or holding the majority stock of the special classes of corporations mentioned above.³²

Other
prohibited
contribu-
tions

Other kinds of contributions prohibited by the laws of the various states are as follows: contributions from anonymous sources or from persons giving false names;³³ from holders of

²⁸ Thus Arkansas, California, Colorado, Connecticut, Delaware, Idaho, Indiana, Kansas, Louisiana, Maine, Maryland, Massachusetts, Missouri, Montana, New York, Oregon, Pennsylvania, South Dakota, Texas, Virginia, and Wyoming fix dates ranging from five to thirty days after election.

²⁹ Thus Alabama, 10-5 days before, 10 after; Florida, 30-25 days prior to primary, also 12-8 days before and within 10 after; Kentucky, 15-10 days before; Minnesota and Utah, the second Saturday after the first disbursement by a candidate and every second Saturday thereafter, and also on the Saturday preceding any election and primary; Nebraska, 15 days before, 20 days after; New Jersey, as above; North Carolina, 10 days before primary, 20 days after; West Virginia, 15-7 days before, 30 days after; Wisconsin, within four days ending on Saturday preceding primary or election and on the Saturday following.

³⁰ U. S. Stat., chap. 33, 62d Cong., 1st sess.

³¹ Cf. Ohio General Code, 1921, Sec. 13320 *et seq.*

³² Alabama, L. 1915, chap. 171; Louisiana, L. 1916, art. 35, § 25.

³³ New York Election Laws, art. 16, § 547; Pennsylvania, L. 1906, chap. 78, § 6.

public offices other than elective offices,³⁴ and, in New York, from judicial candidates except for such legal expenses as are authorized.³⁵ New York also prohibits the use of party funds in aid of any person in a primary election.³⁶ The New Jersey law requires that contributions must be sent in at least five days before election. Later receipts must be returned to the donors.³⁷

POLITICAL ASSESSMENTS

It will be recalled that among the earlier sources of campaign funds contributions from office holders played a large part. No other source has ever been more thoroughly systematized and administered. While relatively of less importance at the present time because of the development of other and more lucrative sources, the system of political assessments, as it was aptly called, still flourishes widely although more or less surreptitiously. In Philadelphia, where it reached its highest development, it had almost the precision and thoroughness of taxation. Not only was the assessment of each office holder definitely fixed, but the rates employed rose progressively with salaries as follows:

Levying
on office
holders

Salary	Rate (per cent)
\$ 600—\$1,199	3
1,200— 1,999	4½
2,000— 2,999	6
3,000— 5,999	9
6,000 and over	12

Approximately 94 per cent of all city employees from the highest to the lowest regularly paid these assessments. It was generally understood throughout the service that failure to pay would result in dismissal. During the ten years preceding 1913 the amounts thus contributed by office holders to Republican campaign funds varied from \$250,000 to \$500,000 annually.³⁸ No

³⁴ Nevada, L. 1915, chap. 376; Olson Oregon Laws, 1920, § 4132.

³⁵ New York Penal Law, § 780.

³⁶ New York Election Law, art. 16, § 562.

³⁷ New Jersey, L. 1918, chap. 184, § 14.

³⁸ For additional details, including facsimiles of records and reports used in collecting political assessments, see M. L. Cooke, *Our Cities Awake*, pp. 34-40; also his report on *Political Assessments in Philadelphia*, privately printed in 1913.

accounting was made regarding the use of these large sums, and there is good reason to believe that a considerable part of the money was transferred to the private purses of certain local bosses. And all of this went merrily on in spite of a law prohibiting political assessments which had been on the statute books of the state ever since 1883.³⁰

Political
assessment
of civil
servants

So far as this system was applied to holders of offices of purely political character and tenure it was objectionable chiefly because of its compulsory character. Applied to holders of offices under the merit system it threatens the administrative integrity of that system as a whole. If allowed to continue unchecked, political assessments would ultimately destroy the confidence of the public in the non-partisan character of the civil service. Accordingly civil-service laws and rules generally contain detailed and drastic provisions against solicitation of this sort. While not embodied in Corrupt Practices Acts, these provisions form an important supplement to such acts.

Prohibited
by U. S.
civil-service
law

Under the federal civil-service law solicitation or the use of pressure by officers of the government to obtain political contributions from other officers, clerks, and employees of the government is made punishable by a fine not to exceed five thousand dollars or imprisonment not to exceed three years, or both. The United States Civil Service Commission has taken action repeatedly to enforce this provision. Apparently, however, there is nothing to prevent solicitation by persons other than government officials. Political leaders whose influence rightly or wrongly is feared, but who do not themselves hold public office, may cultivate the appearance of familiarity with higher administrative officials. Requests for "voluntary" contributions from such leaders are likely to be heeded by large numbers of the more timorous employees. The federal law should be amended to prohibit solicitation of civil servants for campaign contributions by any person or campaign committee. Certain state and local civil-service laws contain this provision, which, although often violated, nevertheless makes evasion difficult. It may even prove desirable to forbid absolutely all political contributions from employees under civil-service rules. Meanwhile the absence of civil-service laws in many states and cities opens the door wide to the abuse of political assessments.

Existing civil-service laws generally also forbid various forms

³⁰ Acts 1883, P. L. 96.

of political activity on the part of civil servants. Thus the federal law, while permitting persons in the competitive classified service to vote as they please and to express privately their opinion on all political subjects, prohibits them from taking any active part in political management or in political campaigns. It would be hard to formulate a more complete list of "pernicious" political activities than those which are forbidden to civil servants, as follows: "Candidacy for or service as delegate, alternate, or proxy in any political convention, or as an officer or employee thereof; acting as officer of any political convention or caucus, addressing it, making motions, preparing or assisting in preparing resolutions, representing other persons, or taking any prominent part therein; service on or for any political committee or other similar organization; serving as officer of a political club, as member or officer of any of its committees, addressing such a club, or being active in its organization; service in preparing for, organizing, or conducting a political meeting or rally, addressing such a meeting, or taking any other active part therein except as a spectator; giving public expression to political views, engaging in political discussion or conferences while on duty or in public places, or canvassing a district or soliciting political support for any party, faction, candidate, or measure; offensive activity at the polls at primary or regular elections, soliciting votes, assisting voters to mark ballots, or in getting out the voters on registration and election days, acting as accredited checker, watcher, or challenger of any party or faction, assisting in counting the vote, or engaging in any other activity at the polls except marking and depositing the employee's own ballot; serving in any position of election officer; publishing or being connected editorially, managerially, or financially with any political newspaper, and writing for publication or publishing any letter or article, signed or unsigned, in favor of or against any political party, candidate, faction, or measure; activity in campaigns concerning the regulation or suppression of the liquor traffic; candidacy for nomination or election to or holding local office; distribution of campaign literature, badges, or buttons while on duty; the circulation but not the signing of political petitions (including initiative and referendum, recall, and nomination petitions); and general political leadership or becoming prominently identified with any political movement, party, or faction, or with the success or failure of any candidate

Prohibition of political activity

for election to public office.”⁴⁰ Apparently the number of federal civil servants who transgress any of the foregoing fourteen rather formidable commandments is extremely limited—at least very few are brought to book for so doing. In the course of the year ending June 30, 1931, only 119 out of the total of 468,050 employees in the classified service of the United States were tried by the Civil Service Commission on charges of political activity.⁴¹ On the other hand it is a matter of common observation in boss-ruled cities that many municipal civil servants are strenuously active on election day, to say nothing of the less open services rendered by them at other times.

Limita-
tions on
campaign
contribu-
tions

Twenty-three states have passed laws placing more or less elaborate limitations upon campaign contributions from or expenditures in behalf of candidates. Usually these laws state maximum sums, but in some cases they restrict the candidate to a certain percentage of the salary of the office to which he aspires,⁴² while in a few instances he is allowed to use an amount determined by the number of votes cast in the state or district at the election immediately preceding.⁴³ There are wide variations in the limitations fixed. Thus candidates for United States Senator may contribute not to exceed \$1,500 for nomination in Maine, while in New Jersey they may contribute \$50,000 toward the primary and another \$50,000 for the general election.⁴⁴ The Massachusetts

⁴⁰ *Civil-Service Act, Rules, Statutes and Executive Orders*, 1922, p. 37. See also *Information Concerning Political Assessments and Partisan Activity of Federal Office Holders and Employees*, September, 1920; both published by the Government Printing Office.

⁴¹ The Commission complains, however, that the penalties it has power only to recommend are frequently softened to mere reprimands by the departmental officials who alone have power to act in cases of political activity. See Forty-eighth Annual Report, U. S. Civil Service Commission, 1931, p. 32.

⁴² For example, Oregon, 15 per cent one year's salary for primary, 10 per cent for election; Michigan, 25 per cent one year's salary for nomination, 25 per cent for election.

⁴³ The limitations in Indiana, Missouri, and Nebraska are based on the number of electors. Indiana allows \$25 per 1,000 voters up to 50,000; \$10 per 1,000 from 50,000 to 100,000; and \$5 per 1,000 over 100,000.

⁴⁴ Formerly \$25,000 for the primary and \$25,000 for the election. The increase was made in 1921. L. 1921, chap. 196. Cf. V. J. West, "1921 Legislation respecting Elections," *American Political Science Review*, vol. xvi, p. 464 (Aug., 1922). The same law doubled the permitted expenditures in other cases. Would-be delegates to national conventions from New Jersey may now spend \$10,000 each for election! Cf. R. S. Boots, "Trend of the Direct Primary," *ibid.*, vol. xvi, p. 415 (Aug., 1922).

law limits campaign expenditures of various candidates, distinguishing between primaries and elections, as follows:

Offices	Primary	Election
United States Senator and Governor.....	\$2,500	\$5,000
Lieutenant-governor, state secretary, state treasurer, attorney-general, representative in Congress.....	1,500	3,000
Representative in general court, districts electing three..	300	300
districts electing two or one.....	200	200

For any other office candidates may expend not to exceed twenty dollars for each one thousand or major portion thereof of registered voters in their districts. Massachusetts also limits individual contributions to campaign funds to \$1,000 in any election and primary preliminary thereto.

A federal law of 1910, amended in 1911, provided that candidates for the Senate and House of Representatives should not contribute in excess of the amounts fixed by the laws of their respective states, and, further, that no candidate for Representative should expend more than \$5,000, and no candidate for the Senate more than \$10,000 for nomination and election, exclusive of necessary personal expenses.⁴⁵ In the Newberry case, however, the Supreme Court decided that, whatever its constitutional powers to regulate the manner of holding elections, Congress was given no authority to control party primaries or conventions.⁴⁶ Of course the various states may legislate on primaries, including limitations upon campaign funds used therein, but such efforts are likely to lack uniformity in the future as in the past.

Federal
Act of
1910 and
Newberry
decision

In accordance with the Newberry decision expenditures made in primaries and conventions are specifically exempted by the Federal Corrupt Practices Act of 1925, which closely followed the recommendations made by the Borah investigating committee of the preceding year.⁴⁷ It limits the election expenditures of a candidate for the Senate to \$10,000 and of a candidate for the House to

Federal
Act of
1925

⁴⁵ U. S. Stat., chap. 392, 61st Cong., 2d sess.; chap. 33, 62d Cong., 1st sess.

⁴⁶ *Truman H. Newberry et al. vs. U. S.*, decided May 2, 1921. See also *The Searchlight* of January 31, 1922, on the Newberry case. Subsequent modification by the Supreme Court of this decision is discussed in ch. xiv.

⁴⁷ Enacted February, 1925, as a rider to the Postal Pay and Rate Act, 43 Statutes at Large, 1053 (1070), ch. 368 (1925).

\$2,500, unless a lower maximum is fixed by state laws, in which case the latter is to control. Or the candidate may accept the alternative national privilege of spending a sum not to exceed three cents per vote cast for all candidates for the office concerned in the last preceding general election; however in no event may this amount exceed \$25,000 for a senatorial candidate or \$5,000 for a candidate for the House. Treasurers of political committees are required to file reports with the Clerk of the House of Representatives on January 1st, and in March, June, and September of every year, also immediately before elections. Such reports must give full particulars as to contributors, amounts of their contributions, expenditures, names of those to whom funds are paid, and totals of the amounts handled. Various personal exemptions are allowed as in the Act of 1911, *viz.*, for travel, subsistence, postage, telegraph and telephone charges, printing, and distribution of circulars. Former prohibitions upon corporate contributions are also retained. Penalties for certain corrupt practices are provided up to fines of \$1,000, or imprisonment for one year, or both. There are two rather conspicuous loopholes in the Federal Act of 1925; first, it permits large expenditures made on behalf of congressional candidates by other people; and, second, it excludes the various items of personal expenditure listed above from the reports required by the law.

Candi-
dates' con-
tributions

In a few southern states party committees are authorized by law to collect from candidates a small fixed sum or percentage of the salary of the office to which they aspire—this as “an evidence of the good faith of the candidates and an expense fund of the several political parties,” as the Mississippi statute phrases it.⁴⁸ In too many instances the limitations upon campaign contributions and assessments from candidates are weakened by provisions allowing them to pay personal and other expenses such as for postage, telegrams, telephone messages, stationery, letters, printing, expressage, traveling, and hotel bills. Primarily, the purpose of such limitations is to prevent the use of money by wealthy candidates to excessive amounts, but they also serve the purpose of

⁴⁸ Mississippi, R. S. 1909, § 5860, \$100 for state office, \$50 for Congress, \$5 for state representative or county office; Florida, R. S. 1920, § 324, 2 per cent of annual salary of office; North Carolina, L. 1917, chap. 218, \$50 for Congress, \$20 for state offices, \$5 for state senator. Cf. also Indiana, L. 1913, chap. 180.

protecting poorer candidates from exorbitant demands made by party committees. The latter purpose is also evident in a number of restrictions upon expenditures by candidates which will be mentioned later.

Nearly all the more recent Corrupt Practices Acts contain lists of legitimate forms of campaign expenditures. For the most part these lists are generously long and, interpreted liberally, would permit very large disbursements. Some amusing distinctions are made, as in Massachusetts, which permits "refreshments, not including intoxicating liquors, but including cigars and tobacco."⁴⁹ The Indiana law specifies that all payments "shall be made at a rate which is reasonably and fairly commensurate with the service rendered."⁵⁰

Lists of
legitimate
expendi-
tures

Lists of illegitimate forms of expenditure are shorter and more fragmentary. Among the forbidden forms are treating to cigars, tobacco, liquors, clothing, meat, drink, or entertainment; contributions to religious, charitable, fraternal and other organizations supposed to be primarily for the public good, unless the candidate has been in the habit of supporting these organizations for six months before his nomination; purchase of tickets to balls, picnics, fairs, and entertainments, payment for space in any book, program, periodical, paper or publication, business advertisements excepted.⁵¹

Lists of il-
legitimate
expendi-
tures

Acting on the assumption that the most indefensible expenditures are those made on election day, a number of states have prohibited or limited such expenditures in drastic fashion. Thus Kansas makes it unlawful "to hire or to lend, or pay or promise to pay any money, or to give or to promise to give anything of value to any person to work at the polls on any election day in the interest of any party, or any ticket, or any candidate or candidates."⁵² Minnesota has a similar provision with exception made for the hiring of challengers.⁵³ Alabama, Montana, and Oregon

Expendi-
tures on
election
day

⁴⁹ Cf. also the lists given in the New York Election Law, art. 16, § 767; and in the Pennsylvania Act of 1906, § 4, P. L. 79.

⁵⁰ Burns Annotated Indiana Statutes, 1914, vol. iii, p. 578.

⁵¹ Cf. Olson Oregon Laws, 1920, § 4138; Alabama, L. 1915, chap. 171; Louisiana, L. 1916, chap. 35; New Jersey, L. 1918, chap. 184, § 36; New York Penal Laws, § 779.

⁵² Kansas, L. 1893, chap. 77, § 2. A Wisconsin provision is equally drastic, cf. L. 1915, chap. 499, § 14.

⁵³ Minnesota, L. 1912, chap. 3, § 13.

prohibit the solicitation of votes on election day,⁵⁴ and a Michigan law contains a drastic clause the express intent of which is "to prohibit the prevailing practice of candidates hiring with money and promises of positions, etc., workers on primary day and prior thereto."⁵⁵ Several states limit the number of conveyances that may be used to bring voters to the polls. Thus Massachusetts allows at each polling place not more than one conveyance and not more than two persons to represent each party. New York allows not more than three carriages for each election district. Exceptions are made by some states in favor of sick and crippled voters, but Nevada provides carriages so employed shall have "neither banner nor worker upon them." New Jersey forbids the hiring of vehicles to transport voters, but private persons may volunteer to do so. Chairmen of county committees may petition the county court in case voters who live two miles from the polls have no transportation, and the judge may order transportation furnished and paid by the board of freeholders of the county in such cases. New Jersey, Minnesota, and Montana prohibit the use of political badges, buttons, and insignia at the polls.

Regulation
of news-
paper
publicity

A few Corrupt Practices Acts attempt to restrain various abuses of newspaper publicity. Alabama, Massachusetts, Minnesota, and Wisconsin require all political advertisements to be signed, the provision of the latter being that all such matter shall be marked "Paid Advertisement," with a statement at the head of the amount to be paid therefor, name and address of the candidate in whose behalf the matter is inserted, and of other persons, if any, authorizing the publication, and the name of the author thereof.⁵⁶ Also in Alabama, Missouri, and Wisconsin campaign literature other than newspaper materials must disclose the names of the author and candidate. Candidates who own newspapers in Kansas must take into account all personal references at the same rate as charged other candidates.⁵⁷ In Minnesota such candidates must report the fact of their ownership to the state auditor.⁵⁸ Wisconsin

⁵⁴ Alabama, L. 1915, chap. 171; Montana, Rev. Code 1921, vol. iv, § 10799; Oregon, Olson, 1920, §§ 4143-4145.

⁵⁵ Howell's Michigan Statutes, i, § 549, p. 359, L. 1913, chap. 118.

⁵⁶ Wisconsin, L. 1913, § 94; 1915, chap. 499, § 15; 1917, chap. 566, § 10. Alabama includes political cartoons under a similar provision, L. 1915, chap. 171, §§ 9, 11. Cf. also Missouri, Rev. Stat. 1919, § 5048.

⁵⁷ L. 1915, chap. 211.

⁵⁸ L. 1912, chap. 3.

also requires a report from owners of any financial interest in newspapers who hold office under the state or local government thereof in case they publish any campaign matter except paid advertisements marked as such. Four states prohibit the purchase of newspaper support by candidates, one of them—Massachusetts—imposing a fine of not to exceed \$10,000 for this offense.⁵⁹ New York, on the other hand, makes the solicitation of money from a candidate for newspaper support a misdemeanor.

The use by employers of pay envelopes for purposes of political suggestion or intimidation is prohibited in New Jersey and Oregon.⁶⁰ Also in both states employers are forbidden to post placards about their premises within ninety days of an election, stating that work will cease, or the establishment be closed, or wages reduced under certain political contingencies. Corporations violating this provision may be punished by the forfeiture of their charters.

Suggestion
or intimi-
dation by
employers

Limitations of the total amount to be expended in any one campaign or year are much less common than limitations upon the contributions of candidates. Of course the latter must tend to reduce considerably the total sum available for expenditure, especially in primary campaigns. However, Nevada has a blanket limitation as follows: "No political party in any campaign in this state through its managing committees or otherwise shall pay, distribute, or expend any sum of money, or incur, authorize or permit any expenses or liabilities in excess of the sum of fifteen thousand dollars."⁶¹ And in New Hampshire state committees are limited to \$25,000 in any one year, not more than one half of which is to be paid for traveling political agents and for contributions to local committees.⁶²

Limita-
tions of
total ex-
penditures

It has been suggested at various times that the problem of campaign contributions might be solved by the assumption of the financial burdens involved by the state. President Roosevelt discussed this matter in his message to Congress, December, 1907.⁶³

Placing
campaign
expendi-
tures on
the state

⁵⁹ The four are Kansas, Massachusetts, Minnesota, and Wisconsin. Kansas, however, expressly exempts the outright purchase of a newspaper or periodical. L. 1911, chap. 137.

⁶⁰ New Jersey, L. 1918, chap. 184, § 45; Oregon, Olson 1920, § 2060. Cf. also Wisconsin, L. 1915, chap. 499, § 20.

⁶¹ Rev. Laws, 1919, vol. iii, p. 2724.

⁶² L. 1915, chap. 169.

⁶³ Cf. the author's *Corruption in American Politics and Life*, p. 221, for a discussion of this suggestion.

In 1909, Colorado passed a law providing that the state appropriate twenty-five cents for each vote cast at the preceding contest for governor, the money to be divided between the state chairmen of the parties in proportion to the vote of each, half of it to be apportioned by the state chairman among the county chairmen. Under the law no other campaign contributions were to be legal, except from candidates to the extent of 25 per cent of their first year's salary. However, this novel Colorado experiment was pronounced unconstitutional in the case of *McDonald vs. Galligan*.⁶⁴

Expenses
now met
by state

While the one effort to solve the problem in this thoroughgoing fashion failed, the states have assumed, as a matter of fact, large financial burdens formerly imposed upon candidates and parties, for example, by printing official ballots and by paying the costs of holding primary elections. Although the aggregate costs thus taken over by the government are heavy, the parties, as noted above, have nevertheless discovered methods of spending constantly increasing sums.

PUBLICITY PAMPHLETS

Measures
pamphlets
and candi-
dates pam-
phlets

One method of transferring part of the cost of campaigning to the state—the publicity pamphlet—deserves special mention. The publicity pamphlet exists in two forms, one used in connection with the initiative and referendum, which may best be described as the measures pamphlet, and the other, used in ordinary primaries and elections, as the candidates pamphlet. The latter is an outgrowth of the former, and was first adopted by Oregon in 1908. Subsequently, six other states passed laws providing for candidates pamphlets, but in none of them has the institution taken root.⁶⁵ The Oregon law requires all candidates in primaries and elections to purchase at fixed rates not less than one nor more than four pages of space in a pamphlet to be published and mailed to all registered voters by the secretary of state. The rates vary from fifty dollars to one hundred dollars per page for state-wide offices, lower rates being granted for district and county candidates. Candidates may fill the space with their portraits, plat-

⁶⁴ For a trenchant discussion of this so-called "two-bit law" see J. K. Pollock, *Party Campaign Funds*, p. 90.

⁶⁵ Montana, 1909, repealed 1919; Wyoming, 1911, repealed 1919; Florida, North Dakota, and Colorado, 1913, but in the latter the law was enacted subject to the repeal of a constitutional provision in conflict with it which has not been done; and, finally, South Dakota, primary law of 1928, repealed 1921.

forms, and such arguments as they wish to offer. Persons desiring to oppose candidates may also purchase space for that purpose, subject to due notice to the persons attacked and also to the law of libel.

Publicity pamphlets of both forms were advocated originally as a highly desirable addition to the existing means of educating the electorate. As such they are doubtless better adapted to sparsely settled states than to those well supplied by metropolitan newspapers. The candidates pamphlet was advocated by the People's Power League of Oregon on the special ground that it would "give poor men an equal chance with the men who are supported by wealth in aspiring for nomination and election to public office." In practice the measures pamphlet has won for itself far wider extension and use than the candidates pamphlet, although the latter continues to be an interesting and influential feature of primaries and elections in Oregon. The Wyoming law did not make it compulsory upon candidates to purchase space and none did so during the eight years it remained upon the statute book, a fact which seems to argue lack of confidence in the utility of the pamphlet as a means of campaign advertising. According to a recent study of publicity pamphlets generally, mud-slinging was never resorted to by candidates, and opponents of candidates did not avail themselves of the opportunity to buy space. "Each aspirant presents his best photograph, recounts those events in his life of which he is most proud or which are most likely to attract votes, and submits a set of the most carefully phrased, all-inclusive, noncommittal platform planks possible. The customary 'economy, efficiency, honesty' trio is much overworked."⁶⁶ In general the official candidates pamphlets are inferior to the pamphlets sometimes issued by Voters' Leagues and other non-partisan bodies which omit photographs and present all essential facts, whether good or bad, in the records of candidates.

Educational effects of publicity pamphlets



Existing Corrupt Practices Acts leave much to be desired. While only a few states are without them, the legislation of the great majority is fragmentary. The situation would be materially improved if these backward states adopted the standards of the more progressive commonwealths, particularly in such matters as pre-election publicity, limitation of contributions from candidates

Defects of Corrupt Practices Acts

⁶⁶ Richard W. Slocum, *Publicity Pamphlets*, a study prepared for the Department of Political Science, Swarthmore College, 1922.

and others, and restriction of eleventh-hour expenditures. It is much to be desired that the safeguards swept away by the Supreme Court decision in the Newberry case be restored by state legislation, particularly since Congress has not seen fit to make use of such constitutional powers as were left to it under that decision. Evasion of most existing laws is possible at numerous points and administration is usually slipshod unless aroused by some blazing

Socialist Party of America	
—	
State	
Local	
Branch	
MEMBERSHIP CARD	
Name	
Address	
Admitted 19....	
No.	Page.....
Secretary	
Address	
ISSUED BY AUTHORITY OF THE National Executive Committee 2653 Washington Blvd., Chicago, Ill.	
561	

YEAR 19....			
1931 	Feb.	Mar.	April
May.	June	July	Aug.
Sept.	Oct.	Nov.	Dec.
SPECIAL STAMPS			
DEBS MEMORIAL Voluntary Assessment S T A M P 1 9 2 7 SOCIALIST PARTY \$1 Minimum			
			

MEMBERSHIP CARD AND DUES STAMP, SOCIALIST PARTY, 1931

scandal. It must be conceded that all our Corrupt Practices Acts have not prevented the increase of campaign funds in general. Wealthy candidates, candidates who by any means can secure newspaper publicity, or candidates who can draw upon the financial resources and personal services of the organization, still enjoy advantages which frequently make competition seem hopeless.

Both the major political parties have presented brief platform planks dealing with corporate contributions and publicity of cam-

paigned contributions.⁶⁷ Naturally that party or faction which feels itself at a disadvantage nationally or locally in "getting the money" takes the stronger position on this issue. The Socialists alone may claim credit for a satisfactory solution of the problem of party finance. Their National Headquarters sells twelve monthly dues stamps to the state organization for fifty cents; the state organization sells them to the county organization at an advance of a dollar; the county organization sells to the local branch at a further advance of sixty cents; finally the local branch sells the stamps to the individual party member for twenty-five cents apiece. Affixed to a card supplied by the party the stamps serve as conclusive evidence of membership in good standing at any given time. Thus the rank and file contribute steadily at the rate of three dollars a year to the expenses of the movement. Also by the dues-stamp device the fund is divided automatically in the amounts agreed upon between national, state and local organizations.⁶⁸

Platform
planks:
Socialist
dues
stamps

In spite of legislative incompleteness, administrative neglect and party indifference there is reason to believe that Corrupt Practices Acts have accomplished a considerable amount of good. The publicity requirements have decidedly stimulated the interest of voters in campaign finance. As a result shady transactions which could easily have been kept under cover two or three decades ago now stand a fair chance of exposure. Limitations upon contributions, while not sufficiently menacing to procure compliance in all cases, are, nevertheless, very unpleasant to reckon with

Effective-
ness of
Corrupt
Practices
Acts

⁶⁷ The Democratic party has shown itself much more concerned over campaign contributions than the Republican, the platforms of the former for 1908, 1912, 1920, 1924, 1928 and 1932 containing planks on the subject. During the same period the subject was dealt with only in the Republican platforms of 1912 and 1928.

⁶⁸ The rates stated above are in use in Cook County, Illinois, and are fairly typical. In some states however the member pays only one dollar a year, a quarter going to the local or branch, a quarter to the state, and the remainder to National Headquarters. In 1928 the constitution was so amended that the dollar a year rate could be put into effect generally, the idea being to secure such additional funds as were needed by contributions. Obviously this threatens the tradition of keeping the party self-supporting on a democratic basis. Even earlier, however, there were frequent calls for voluntary contributions. "Exempt stamps," not to exceed 10 per cent of the total number, are issued to members who are out of work because of sickness, strikes, lockouts, or other conditions beyond their control. For further details see leaflet *Why Socialists Pay Dues* issued by that party; also J. W. Hughan, *American Socialism of the Present Day*, p. 204.

legally or at the bar of public opinion in those cases where the facts are discovered. It is worth recalling that the very promising candidacies of Governor Lowden and General Wood before the Republican national convention of 1920 were wrecked largely because of the revelation of lavish expenditures in their interest. Thus even in cases not covered by law the existence of higher standards of public morality may sometimes be made manifest.

BOOK NOTES

SINCE the publication of the first edition of this book the literature on campaign funds has been greatly enriched by two notable studies: *Louise Overacker, *Money in Elections* (1932), which was based largely on materials collected by the late Victor J. West, formerly professor of political science in Stanford University; and *J. K. Pollock, Jr., *Party Campaign Funds* (1926). Similarly *E. R. Sikes, *State and Federal Corrupt Practices Legislation* (1928) deals thoroughly with that side of the general subject. For statistics and complete details with analyses students should consult the work of the Kenyon Committee, which is summed up in *Senate Report No. 883, 66th Cong., 3d Session* (Washington, 1921). This admirably brief but comprehensive statement is based upon twenty-two volumes of testimony. More recent reports by the Borah and the Steiwer committees on campaign funds in 1924 and 1928 respectively have been referred to in the text. Following the campaign of 1932 a similar report is to be presented by the Black Committee. Valuable discussions of campaign funds may also be found in H. J. Ford, *Rise and Growth of American Politics*, Ch. XXIV (1900); and C. E. Merriam, *The American Party System*, pp 329-342 (1922). For details on the earlier development of Corrupt Practices Acts the student may consult the author's *Corruption in American Politics and Life*, Ch. VI (1910). H. Croly, *Marcus Alonzo Hanna*, Chs. XVI and XXI (1912), presents an extremely illuminating critical account of the financial operations on the Republican side during the campaigns of 1896 and 1900.

For comparisons with other countries the student should consult *J. K. Pollock, Jr., *Money and Politics Abroad* (1932), an authoritative and interesting account of the financing of politics in Great Britain, northern Ireland, the Irish Free State, Germany and France.

CHAPTER XIV

THE ELECTORATE

IN AN autocracy the ruler has only to make up his own mind to determine the will of the state. In narrow aristocracies or oligarchies it is also a comparatively simple matter to ascertain the will of the small group of rulers. But with the extension of political power to masses of people in a democracy "there can be," as Montesquieu points out, "no exercise of sovereignty but by their [the people's] suffrages, which are their own will. Now the sovereign's will is the sovereign himself. The laws, therefore, which establish the right of suffrage are fundamental to this government. And indeed it is as important to regulate in a republic, in what manner, by whom, to whom, and concerning what suffrages are to be given, as it is in a monarchy to know who is the prince, and after what manner he ought to govern."¹

Suffrage
and sov-
ereignty

Historically four principal answers have been given to the most fundamental of these questions: by whom are suffrages to be given, which, of course, involves the further question, who shall be debarred from suffrage?² Among Greeks and Romans the right to vote (1) was considered to belong to all citizens as a necessary accompaniment to their membership in the state. It must be remembered, however, that citizenship itself was narrowly restricted even in the most democratic of ancient states. During the Middle Ages men voted (2) because of the lands or titles they held. The French Revolution promulgated with tremendous force a doctrine which had long been forming under the influence of Catholic schoolmen and of reformed sects—namely (3) that the right to vote was one of the essential rights of man as such. While no longer accepted by students of political science, this doctrine was of prime importance in securing the extension of suffrage to larger and larger masses of people in the latter part of the eighteenth and throughout the nineteenth century.

Who shall
vote?

At the present time political scientists generally regard suffrage

¹ *Spirit of Laws*, translated by T. Nugent, bk. ii, chap. ii.

² C. Seymour and D. P. Frary, *How the World Votes*, chap. i.

Voting as
a duty, or
office

not as a natural right, but (4) as a right conferred by law in the discretion of the state, which may widen or curtail it if the highest interests of the state so require. From the voter's point of view, the exercise of suffrage thus becomes a duty which he is presumed to perform in the service of the state. Like the member of a legislature, the voter may be considered to hold an office under the state, although, of course, it is true that the duties connected with the voter's office need not occupy much of his time.

Electorate,
active and
passive
suffrage

Collectively all those who possess the right of suffrage are called the electorate. In its widest sense the electorate may be defined as "that part of the people of a state who are legally qualified to declare their will authoritatively with respect to matters constitutionally reserved to them."³ Suffrage is sometimes distinguished as active—*i.e.*, the right of voting for candidates—and passive—*i.e.*, the right to be voted for. Formerly eligibility to office and voting were both made dependent upon property holding and other general qualifications. Usually these qualifications were considerably higher for office holding than for voting. Under such circumstances it was natural to distinguish between actual and passive suffrage. With the disappearance of most of these general tests of eligibility, however, the distinction is well-nigh obsolete. In current speech the word is almost invariably used in the active sense, and will be so used in this discussion.

Ideal
qualifica-
tions for
suffrage

Considering suffrage as a public duty and a public trust, in short, as a kind of limited public office, the qualifications upon which it should be based are not difficult to ascertain. Indeed, these should differ only in extent, not in kind, from the qualifications deemed essential in office holders whose duties are more continuous and numerous. For our own country the ideal standards of suffrage have been stated as follows: "(1) loyalty to the fundamental principles of American government; (2) willingness to use the vote, according to one's conscience, for the best good of the commonwealth without fear or favor; and (3) a reasonable degree of political intelligence."⁴

Ideal *vs.*
legal tests

Apart from radicals, such standards would be generally accepted. It is, however, one thing to state the ideal qualifications

³ Cf. A. N. Holcombe, *State Government in the United States*, p. 143.

⁴ Holcombe, *op. cit.*, p. 155. Cf. Jefferson's simple test for an office holder: "Is he honest? Is he capable? Is he faithful to the Constitution?" J. A. Woodburn, *Political Parties and Party Problems*, p. 256.

for voting, but another and quite different thing to formulate legal tests capable of precise application to masses of the people—tests which definitely admit certain persons and exclude all others. Thus loyalty, conscientiousness, intelligence, although admittedly most desirable qualifications, could scarcely be defined in terms acceptable to all, nor could their possession to the requisite degree be easily determined on the part of applicants for suffrage. No school certificate or diploma, for example, is proof positive of intelligence. And demonstrated intelligence to the necessary degree may co-exist with venality or disloyalty. To be sure the man of good education is less likely to sell his vote outright: what however is to be said of him who votes not in the interest of the commonwealth as a whole but rather in the interest of his local community, or of his class, or even to further the success of his private business affairs? Rousseau, father of democratic theory, attempted to answer the question, not however with entire success; in practical life, as the most casual observation will show, it obtrudes itself everywhere in complicated and bewildering forms.

Finally while loyalty is doubtless a necessary attribute of the voter it also raises some difficult questions, notably "loyalty to what?" If one answers as in the passage quoted above, "loyalty to the fundamental principles of American government," conservatives will, of course, approve heartily. Still it is not always easy to determine just what are these fundamental principles as distinguished from others less fundamental, divergent or even antagonistic in character. Supreme Court judges have been known to differ on such matters; platforms of political parties do so frequently. And what is to be said of those radical citizens whose loyalty goes out not to the Constitution as it is but to the Constitution as it may become?

Loyalty—
to what?

Obviously therefore any formulation of the ideal qualities which a voter should possess would be extremely difficult to apply in separating electoral sheep from electoral goats. Actual tests must be less general in character, much better fitted for rough and ready use. Accordingly one finds that the requirements for suffrage enacted into the laws both of European states and of the United States during the nineteenth century and subsequently are reducible to a comparatively few minimum standards, capable of prompt and precise application by administrative officers. Moreover these standards were lowered frequently to admit new masses of voters.

Lower
voting
qualifica-
tions; con-
sequences

With every enlargement of the electorate thus occasioned prophecies of dire disaster were freely made, principally by those who anticipated the loss of their aristocratic, ecclesiastical, or economic privileges. But there were also more disinterested warnings from philosophers who feared the destruction of civilization by "barbarians from within."⁶ It must be admitted that these forebodings were not wholly without foundation. Our political reactions to the foreign-born and Negro voter show the difficulties involved in large additions of inferior elements to the electorate. Nevertheless, disaster has not resulted from any of these extensions of the suffrage, nor, so far, from the process as a whole. Of course the sweeping application of lower voting qualifications to people whose social standards were retrograding would have made of elections the political farces or tragedies they have become in San Domingo or the more backward Latin-American countries. But the classes actually admitted to the electorate from time to time in western Europe and the United States were advancing in the economic and educational scale. Because of these advances and supported by them, they demanded a share of political power. In the struggle to gain it, and afterward in exercising it, they acquired some at least of the ideal qualities desirable in an electorate.

Intelli-
gence tests

To a large degree, therefore, the process by which the electorate was widened in western Europe and in the United States reconciled divergent theories on the subject. The revolutionary theory that suffrage was one of the natural rights of man provided the end toward which progress was made, while the theories demanding certain tests of citizenship, property, intelligence, or virtue were satisfied by the general diffusion of education and economic well-being. It is no doubt true that the first of these theories has been pushed more rapidly than the second—in other words, that suffrage has been widened more rapidly than the qualifications for using it properly have been acquired. Intelligence tests, as is well known, revealed lamentably large percentages of persons of inferior mentality among our soldiers during the World War. In all probability similar tests would give much the same results if applied to the American electorate as a whole. However, psychol-

⁶ Cf. Thomas Carlyle, *Shooting Niagara and After*, and, as a contemporary illustration, C. J. Cannon, "Democracy in Question," *Atlantic Monthly*, vol. cxxix, p. 145 (Feb., 1922). The reader may also consult with profit W. McDougal, *Is America Safe for Democracy?* although it does not take up the subject of suffrage directly.

ogists differ widely as to the significance and value of the percentages thus obtained. Until more definite conclusions are reached in this field of research one is scarcely justified in predicting the downfall of democracy because of the alleged large proportion of morons in modern electorates.⁶ Yet the situation is disquieting, even taking the lowest possible estimate of the value of intelligence tests. One of the most incisive critics of the results obtained by such tests nevertheless concludes that "it is now, as it has never been before, a 'race between education and annihilation.' If education is to save civilization it must lift the common man to new levels—and not so much to new levels of industrial efficiency as to new levels of thinking and feeling."⁷

At the same time that the electorate was being widened in the United States the number of duties assigned it, and consequently its powers, grew rapidly. In Europe the general tendency has been to limit direct popular election to legislative offices only, using other methods to fill judicial and executive offices. The Fathers of our federal Constitution began with the same idea—indeed, they provided for popular election of only one of the two houses of Congress. Yet their attempt to keep the election of the President away from the direct influence of the voters soon proved futile, and in 1913, by the Seventeenth Amendment to the Constitution, the election of United States Senators was taken out of the hands of state legislatures and placed in the hands of the state electorates. Extension of the powers of the electorate to the choice not only of executive but of judicial officers as well, made rapid progress both in state and local government following the advent of Jacksonian Democracy. A further sweeping extension of the powers of the electorate began with the introduction of direct primary legislation in 1903, whereby party voters took over the duty of making nominations formerly intrusted to delegate conventions. Finally the introduction of the initiative, referendum, and recall has imposed still further duties upon the electorate.

Underlying all these increases in the functions of the voting mass was a single purpose, namely to increase the power of the people. In the aggregate they are perhaps sufficiently numerous to justify the enumeration of the electorate as a fourth branch of

Increased
powers of
electorate

"Burden
of the
ballot"

⁶ C. J. Cannon, *op. cit.*

⁷ W. C. Bagley, "Educational Determinism; or Democracy and the I. Q.," *School and Society*, vol. xv, p. 373 (April 8, 1922).

government in addition to our traditional three—legislative, executive and judicial. If voters had possessed the intelligence and had been willing to give the time and energy requisite to the proper performance of their new duties, doubtless the power of the people would have been increased greatly. But it is futile to expect too much from the great masses now enfranchised. Many of our voters are called to the polls twice a year, whereas in European countries generally they vote only every two, four, or more years. Further our ballots have become large and cumbersome affairs, unlike the short and simple ballots used abroad. Under the circumstances it is not strange that we begin to hear more of the "burden of the ballot" than of the "privilege of the franchise." Confronted with heavy additional duties, many voters abstain from voting, many others accept servilely the guidance of party leaders. Too often elections register the voice of the boss, not the voice of the people.

Suffrage
history of
the United
States

Turning now to the actual development of suffrage in the United States, the history of the country may be divided into three periods: (1) from the Adoption of the Federal Constitution to the Civil War, during which white manhood suffrage was gradually established; (2) from the Civil War to 1890, which was dominated by the bitter struggle over Negro suffrage; and (3) from 1890 to the present time, which witnessed the triumph of the woman-suffrage cause.⁸

SUFFRAGE FROM 1789 TO 1860

ESTABLISHMENT OF WHITE MANHOOD SUFFRAGE

Suffrage in
the thir-
teen origi-
nal states

At the adoption of the federal Constitution considerable diversity existed in the suffrage laws of the thirteen original states, taxpaying, freehold or other property qualifications in various amounts being generally required, with occasionally a religious test in addition.⁹ These qualifications produced something far short

⁸ Valuable brief historical accounts of suffrage are presented by F. W. Blackmar, "The History of Suffrage," *Chautauquan*, vol. xxii, p. 28 (1895); and F. N. Thorpe, "A Century's Struggle for the Franchise in America," *Harpers*, vol. xciv, p. 207 (Jan., 1897). Monographs and longer works on the subject are cited in the Book Notes at the end of this chapter.

⁹ For early property qualifications see tables, pp. 12, 13, in Porter, *op. cit.* Immediately before the Revolution Catholics were excluded from suffrage in Rhode Island, Virginia, and Maryland. In New York the letter of the law excluded Jews and Catholics, but there seems to have been no strict enforce-

of manhood suffrage as in the North only about three-fourths and in the South somewhat less than one-half the adult males were qualified to vote.¹⁰ For the most part the wage-earning classes were excluded. The nearest approach to manhood suffrage was in Vermont, which in its constitution of 1777 stipulated that every freeman might vote "who has a sufficient interest in the community." A freeman's oath also was exacted as follows: "I solemnly swear, by the ever-living God (or affirm in the presence of Almighty God), that whenever I am called to give my vote or suffrage, touching any matter that concerns the State of Vermont, I will do it so, as in my conscience, I shall judge will most conduce to the best good of the same, as established by the constitution, without fear or favor of any man."

Considering the diversity of suffrage qualifications in the original states and the consequent impossibility of agreeing upon any uniform plan, it is not remarkable that the Fathers of the federal Constitution avoided the subject. By providing that members of the House of Representatives—the only federal elective office at the time—should be chosen by electors in each state who "shall have the qualifications requisite for electors of the most numerous branch of the state legislature," the whole subject of suffrage was left in the hands of the states. Thus, as the Supreme Court stated, "the Constitution of the United States does not confer the right of suffrage upon anyone, and . . . the United States have no voters of their own creation."¹¹ Nor do the two suffrage amendments to the Constitution, the fifteenth and the nineteenth, confer the right of suffrage upon anyone. Both of them merely seek to prevent the denial of voting rights by any state or by the United States on certain grounds.

Federal
Constitu-
tion leaves
suffrage to
states

Left thus to their own devices, the states made very considerable extensions to the suffrage during the period from the adoption of

Frontier
and suf-
frage

ment of this provision. Religious tests, at least all those of a sectarian character, had disappeared by 1810.

¹⁰ Interesting figures on the proportion of voters to the total population in the earlier years of New York's statehood may be found in the "Constitution and Government of the State of New York," No. 61, *Bureau of Municipal Research, New York*, 1915. In this state, as in others of the original thirteen, higher property qualifications were exacted to vote for governor, lieutenant-governor, and state senators than to vote for assemblymen, and minor office holders. This special privilege which worked to the advantage of the landowning class was abolished by the Constitution of 1821.

¹¹ Minor v. Happersett, 21 Wallace, 162.

the Constitution to the Civil War. Jeffersonian thought and Jacksonian victories, particularly in the new western commonwealths, ushered in sweeping additions to the electorate. The fierce party competition of the time led to a continuous reaching out for new voters. Reformers of the period frequently invoked the natural-rights theory. Frontier communities could not be expected to view with complacency property qualifications which disfranchised artisans and laborers who nevertheless built up the state with their brawn and skill and defended it against Indian forays with their muskets. Vermont, Kentucky, and Tennessee came into the Union before the end of the eighteenth century with white manhood suffrage practically established in their constitutions, and the states of the old Northwest and Southwest followed their example in the earlier decades of the nineteenth century. Economic motives reinforced political motives in these western extensions of the suffrage. The new states of the Ohio valley desired nothing so much as a rapid growth of population. To the lure of cheap lands they added the offer of the right to vote to disfranchised citizens living on the Atlantic seaboard. Ultimately the result was a series of extensions of the suffrage in the eastern states, Massachusetts admitting all poll-tax-paying citizens in 1820, New York granting suffrage to all white male citizens in 1826. By 1860, manhood suffrage, confined, of course, to adult male whites, was approximately established throughout the states of the Union.

Aliens allowed to vote

In one conspicuous instance the movement was pushed too far, with consequences that long remained to trouble the states concerned. So great was the desire for population and development in the West that a number of the new constitutions and suffrage laws in that section included not only all adult male citizens, but also aliens, in some cases even those aliens who had not made declaration of their intent to become naturalized.¹² As late as 1894 this condition prevailed in fifteen states.¹³ It is, of course, impossible to defend the admission to suffrage of aliens whose loyalty still belongs legally to foreign sovereignties. A minor con-

¹² In 1856 the American (Know-Nothing) Platform criticized "granting to unnaturalized foreigners the right of suffrage in Kansas and Nebraska." T. H. McKee, *National Conventions and Platforms*, p. 101.

¹³ Alabama, Arkansas, Colorado, Florida, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Oregon, South Dakota, Texas, and Wisconsin. Cf. J. Q. Dealey, *American State Constitutions*, p. 150; Ogg and Ray, *Introduction to American Government*, p. 203.

sequence of this condition was that many foreigners who were allowed to vote upon taking out their first papers naturally assumed that no further steps were necessary. As a result both they and their children born abroad legally remained aliens, sometimes not discovering the fact until they found themselves without protection in foreign countries. Beginning about 1900, however, a strong reaction set in against the admission of foreigners to suffrage, a reaction which was materially strengthened by the evident failure of the "melting-pot" during the World War and which has since wiped out completely this hoary relic of pioneer days.

SUFFRAGE FROM 1860 TO 1890 THE STRUGGLE OVER NEGRO SUFFRAGE¹⁴

As noted above the so-called manhood suffrage which had been established throughout the United States prior to 1860 was essentially white manhood suffrage. During this period there was no effective agitation even in the North for the enfranchisement of free Negroes. Indeed, such changes as were made in the suffrage laws were unfavorable to persons of color.¹⁵ At the outbreak of

Unfavorable attitude toward Negro suffrage prior to 1860

¹⁴On Negro suffrage in southern states by far the most valuable work is Paul Lewinson, *Race, Class, and Party* (1932). The following references are also recommended: S. B. Weeks, "History of Negro Suffrage," *Pol. Sci. Quar.*, vol. ix, p. 671 (Dec., 1894); A. B. Hart, "Realities of Negro Suffrage," *Am. Pol. Sci. Assoc. Proc.*, vol. ii, p. 149 (1905); J. C. Rose, "Negro Suffrage; the Constitutional Question," *Am. Pol. Sci. Rev.*, vol. i, p. 17 (Nov., 1906); and R. S. Baker, "Negro Suffrage in a Democracy," *Atlantic*, vol. cvi, p. 612 (Nov., 1910). For the southern white viewpoint consult E. G. Murphy, *Problems of the Present South*, chap. vi (1904); J. B. Knox, "Reduction of Representation in the South," *Outlook*, vol. lxxix, p. 169 (Jan. 21, 1905); F. G. Guffey, "Suffrage Limitations at the South," *Pol. Sci. Quar.*, vol. xx, p. 53 (March, 1905); and J. L. W. Woodville, "Suffrage Limitations in Louisiana," *Pol. Sci. Quar.*, vol. xxi, p. 177 (June, 1906). The Negro viewpoint is presented by W. H. Smith, "Is the Negro Disfranchised?" *Outlook*, vol. lxxix, p. 1047 (April 29, 1905); and W. E. B. Dubois, "Social Effects of Emancipation," *Survey*, Feb. 1, 1913, p. 570.

¹⁵In five of the original thirteen states—Massachusetts, New Hampshire, New York, New Jersey, and North Carolina—free Negroes who possessed the property or other qualifications required were permitted to vote. Of course very few Negroes were able to qualify. Later North Carolina (1835) and New Jersey (1844) disfranchised Negroes altogether, and in 1826 New York adopted a constitutional amendment which abolished property qualifications for whites, but retained them in full force for persons of color. Five states in addition to those named above admitted Negroes to the franchise prior to 1860—Vermont, Kentucky, Maine, Rhode Island, and Tennessee—but in 1799 Kentucky, and in 1834 Tennessee, withdrew this privilege. Cf. A. N. Holcombe, *op. cit.*, p. 80.

the Civil War they were allowed to vote in but four states—Maine, Massachusetts, New Hampshire, and Vermont. At that time the colored population of these states was less than one half of 1 per cent of the total.

Fifteenth Amendment In the heat of reconstruction politics the Fifteenth Amendment to the Constitution was adopted (1870), providing that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude." Unquestionably, however, the attempt thus made to compel the enfranchisement of Negroes has failed throughout wide areas in the South, nor is the struggle against it by any means ended at the present time.

Violence and intimidation A wide diversity of means was employed to bring about the nullification of the Fifteenth Amendment. In the early stages of the struggle extra-legal and illegal methods were frankly resorted to on a large scale. Violence and intimidation were employed, particularly by the earlier Ku-Klux Klan (1865-76), to keep Negroes from the polls. "Moral suasion," repeating, ballot-box seizures, and ballot-box stuffing were used in those cases where blacks had to be permitted to vote. Broadly, the southern whites felt that not only racial supremacy but civilization itself was at stake, and there were those among them who did not hesitate even at election crimes to secure the higher ends supposedly involved.

Legal efforts to disfranchise Negroes Always, however, there was grave disquiet over the anomalous means employed and, beginning about 1890, efforts were made to secure Negro disfranchisement by legal enactments. All the latter, of course, had to steer clear of the Fifteenth Amendment and the laws passed by Congress to enforce it. The Mississippi constitution of 1890,¹⁰ to quote one example, bristled with clauses which, it was hoped, would freely admit whites but disqualify the great mass of Negroes. First, the residence requirement was raised to two years in the state and one in the election district in order to exclude the large nomadic colored population that was continually shifting from plantation to plantation. Second, disqualification was made a penalty for a long list of offenses, including all those for which Negroes were most commonly convicted, such as bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, and bigamy. Third, payment of

¹⁰ Sec. 241. Held by the U. S. Supreme Court in 1892 and 1898 not to violate the Fifteenth Amendment.

taxes was required, including a poll tax of two dollars which might be increased by the board of supervisors of any county to three dollars. To this requirement the ingenious proviso was added that no criminal proceedings could be employed to enforce payment—frankly in the expectation that short of criminal proceedings few if any Negroes would ever pay so large a sum merely to qualify as voters. As a matter of fact, colored persons desirous of demonstrating their superior cleverness did pay such taxes occasionally. To meet this situation it was arranged that the poll taxes should be collected a year before the date of the election. Few Negroes possessed the means and the foresight to obtain the coveted receipts so far in advance. In the cases of those who did, every possible device was employed to secure the surrender of the coveted receipts, among them the sudden advent of a traveling circus in a black-belt town, and the generous offer of the management to accept tax receipts in lieu of coin of the realm for tickets of admission. Fourth, the would-be voter was required either to read any section of the constitution or to give a reasonable explanation of the same when read to him, and in general to possess a satisfactory knowledge of the duties of citizenship.

Since the election officials who had to pass upon these intellectual accomplishments were white, it was doubtful whether even those Negroes capable of qualifying under the first three requirements could qualify under the fourth. It is alleged that some southern states having similar reading or intelligence tests deliberately included lengthy Latin quotations in their constitutions, the same being offered invariably for interpretation by colored applicants. White applicants, on the other hand, were given easy English passages to read, or if illiterate, to explain—any effort to do so being adjudged satisfactory by the white election officials. Also the latter might conveniently “forget” to require white applicants to produce tax receipts. Finally, white officials might address a large number of detailed personal questions to the Negro applicant, adjudging him guilty of perjury if he wandered in the slightest degree from the truth in reply and depriving him of the franchise on that ground.

In spite of their manifold suffrage requirements, laws of the above character suffered from the defect that illiterate or propertyless whites were equally liable to be excluded under their terms, and might occasionally be so excluded in fact. To avoid such un-

“Educational”
tests

“Grandfather
clause”

pleasant possibilities the famous "grandfather clause" was invented and applied at one time or another by four southern states.¹⁷ The essential thought behind this device was that while all the suffrage restrictions listed in the preceding paragraphs were to be maintained, they should be waived in the case of applicants who had voted or whose ancestors had voted prior to January 1, 1866. Of course Negroes were not mentioned directly in any of the grandfather clause enactments, but the great mass of them were effectually excluded by the various residence, tax-paying, literacy, or other tests, while white applicants were able to avoid all these simply because they could boast a voting ancestor at a date before Negroes were permitted to vote.

Oklahoma
grand-
father
clause

Oklahoma developed the grandfather clause idea to the most extreme degree in a constitutional amendment, proposed by initiative and carried by popular vote, August 2, 1910.¹⁸ Sec. 4a of the amendment is as follows:

No person shall be registered as an elector of this State, or be allowed to vote in any election held herein, unless he be able to read and write any section of the Constitution of the State of Oklahoma; but no person who was, on January 1st, 1866, or at any time prior thereto, entitled to vote under any form of government, or who at the same time resided in some foreign nation, and no lineal descendant of such person, shall be denied the right to register and vote because of his inability to so read and write sections of such Constitution.

The Oklahoma clause, it will be noted, made a special exception in favor of persons of foreign extraction or descent as well as of illiterate natives. It differed from most of the other enactments of similar character also in that it imposed no time limit. In 1915

¹⁷ In South Carolina, constitution of 1895; Louisiana, constitution of 1898; and by constitutional amendments in North Carolina, 1907; and Oklahoma, 1910. Also in 1908, Maryland attempted to apply the grandfather clause to municipal elections in Annapolis, but this act was declared unconstitutional by the Supreme Court of the United States six year later. *Myers v. Anderson*, 238 U. S. 368. Closely similar to the grandfather clause was the "old soldier clause" adopted by Alabama in 1901; Virginia, 1902; and Georgia, 1908; which admitted nonproperty-owning soldiers and sailors who had fought on either side in the Civil War or in other wars prior to 1901, and also their descendants. The old-soldier clause admitted colored as well as white soldiers and their descendants, although, of course, there were very few of the former in proportion.

¹⁸ Burns Annotated Supplement to the Revised Laws of Oklahoma, 1918, Sec. 3118.

the Supreme Court of the United States pronounced it in conflict with the Fifteenth Amendment and therefore unconstitutional.¹⁹

Meanwhile the grandfather clauses had lapsed in other states by self-limitation. Indeed the period usually fixed for their operation, namely two or three years, was chosen partly because it was sufficient to serve the purpose of getting the poor whites on the voters' lists, and partly because it was not long enough to enable the Supreme Court to declare the state laws containing such provisions unconstitutional before this had been done. As Professor Holcombe points out, the decisions of the Supreme Court adverse to grandfather clauses need not have the effect of extending the suffrage to any Negroes now disfranchised, but may merely serve to exclude a number of poor and ignorant whites hitherto permitted to vote.²⁰

Expiry of
grand-
father
clauses

With the advent about 1910 of the direct primary system of selecting candidates various southern states hit upon a new and apparently ingenious method of excluding colored citizens from effective political activity. In many such states there is no real contest except over nominations, success of the Democratic ticket by overwhelming majorities being certain in the ensuing elections. Thus in July, 1926, six aspirants for the Democratic nomination to the governorship of Texas received a total vote of 735,186. At the following general election the Democratic nominee defeated his Republican opponent nearly eight to one in a total vote of only one hundred thousand. Under such circumstances exclusion of Negroes from the primaries would, for all practical purposes, deprive them of the suffrage. Moreover it could be argued with a certain plausibility that the primary is a quasi-private affair, political rather than governmental in character, and therefore not subject to the provisions of the Fourteenth and Fifteenth Amendments.

Negroes
excluded
from
primaries

Accordingly various southern states passed laws prohibiting Negroes from voting in Democratic party primaries. One of these, a Texas act of 1923, was protested by Dr. L. A. Nixon—a man of education, a property owner, and a Democrat, but also a Negro. The case finally reached the United States Supreme Court in 1927 (*Nixon v. Herndon*, 273 U. S. 536), which by unanimous decision declared the statute void because “it seemed hard to

Texas acts
of 1923 and
1927

¹⁹ *Guinn vs. U. S.*, 238 U. S. 347.

²⁰ *Op. cit.*, p. 148.

imagine a more direct and obvious infringement of the Fourteenth Amendment.”²¹ Not to be daunted the Texas legislature repealed the law of 1923, substituting for it a new statute (Ch. 67, Acts 1927), which provided that each political party in the state should have the power through its State Executive Committee to prescribe the qualifications of its own members and to determine who shall be qualified to vote at its primaries. Similar laws were passed in Arkansas, Florida, and Virginia. Acting under the power thus presumably conferred by the legislature, the State Executive Committee of the Democratic party in Texas again attempted to exclude Dr. Nixon from its primary in 1928. Again he appealed and again he won the case before the United States Supreme Court.

Supreme
Court
ruling
on law
of 1927

The opinion of the Court written by Mr. Justice Cardozo²² held that when party agencies are invested by law with an authority independent of the will of the association in whose name they undertake to speak, they become to that extent the organs of the state itself, the repositories of official power. From that point of view a party is still free to define for itself the political tenets of its members, but to those who profess its tenets there may be no denial of its privileges. In the exercise of the latter power by the Democratic State Committee of Texas there was invidious discrimination between white citizens and black. “The Fourteenth Amendment, adopted as it was with special solicitude for the equal protection of members of the Negro race, lays a duty upon the court to level by its judgment these barriers of color.”

Dissent-
ing opin-
ion

A dissenting opinion in *Nixon v. Condon* written by Mr. Justice McReynolds, three of his associates concurring, took a somewhat more extreme position regarding the private nature of political parties. “Political parties,” it was maintained, “are fruits of voluntary action. . . . The State may not interfere. White

²¹ More specifically *Nixon v. Herndon* voided the Texas statute on the ground that it infringed the “equal protection of the law” clause of the Fourteenth Amendment; not, of course, on grounds connected with the second section of the Amendment which provides for penalizing states for the curtailment of the suffrage. Further the case was of interest because the court refused to pass upon the argument based on the Fourteenth Amendment, and so left untouched the question raised but not definitely determined in the *Newberry* case—namely, whether a primary may be considered part of an election.

²² Handed down May 2, 1932, U. S. Supreme Court Advance Opinions, October Term, 1931, No. 12, pp. 629 *et seq.*

men may organize; blacks may do likewise. A woman's party may exclude males. This much is essential to free government." Further "the resolution of the Executive Committee was the voice of the party and took from appellant no right guaranteed by the Federal Constitution or laws." Before leaving this topic it may be worth noting that the majority opinion of Mr. Justice Cardozo contains the following: "Whether the effect of Texas legislation has been to work so complete a transformation of a concept of a political party as a voluntary association we do not now decide." Moreover it hints that the case might assume a somewhat different aspect were Negroes to be barred from primaries not by the State Committee but by the state convention of a political party. It remains to be seen whether this suggestion will be acted upon in southern states determined to exclude colored voters from primary elections. And of course what the Supreme Court may do to any such attempt is on the lap of the gods.

It is anything but easy to determine how effective the various forms of discrimination employed by southern states against Negro voters have proved in practice. Other than purely legal factors are involved: there are racial, social, economic and psychological factors as well, and behind all of these there are traditions handed down from slavery and reconstruction days. A frequently repeated estimate to the effect that "not more than one Negro in a hundred participates in important elections" fails to take into account the wide diversity of actual conditions.²³ As a matter of fact much lower ratios can be cited particularly in the black-belt sections of the lower South.²⁴ Even in the border state of Tennessee the rural county of Fayette had in 1930 only some fifty colored voters out of a Negro population of 21,095, while Haywood, another county of the same character, had none out of 17,227. On the other hand in Shelby County which was dominated by the city of Memphis, the Negro vote had to be taken into account both in primaries and in general elections. Thanks to the thoroughgoing researches of Professor Paul Lewinson a definite picture is at last obtainable of Negro suffrage in the South.²⁵ His general conclusion is that the border states—West Virginia, Ken-

How many
southern
Negroes
are ex-
cluded

²³ J. C. Rose, *op. cit.*

²⁴ W. E. B. Dubois, *op. cit.*

²⁵ Cf. his *Race, Class, and Party, a History of Negro Suffrage and White Politics in the South*, 1932.

tucky, Tennessee, and Arkansas—and also the state of Texas, place few obstacles in the way of the colored voter at general elections. On the other hand states of the far South have an almost negligible number of Negro voters. Finally the colored vote is larger in cities than in rural districts and in college or university towns than in other places of the same size. In non-partisan elections and referendum votes the number of Negroes who participate, especially in larger urban centers, is often considerable. Altogether Professor Lewinson finds that as to Negro voters below the Mason and Dixon line “there were many fewer than an Abolitionist might hope, but rather more than even Southerners suspected.”

Later antipathy to Negro voters

The net effect of the Fifteenth Amendment, therefore, has been to enfranchise Negroes in the North and throughout the country generally, but to a small degree only in the South, although it was the latter section which was aimed at particularly. Of recent years economic forces have led to a heavy colored emigration from the South to the North, as a result of which many of the men and women of this race have become actual voters for the first time in their lives. The political effects of this movement of the Negro population have naturally been most marked in the border states. Even before it began there were evidences of a continuance in the North of the ante-bellum disinclination to admit Negroes to the electorate. In 1912 the people of Ohio refused to ratify an amendment striking from the constitution of the state the word “white” relating to the suffrage. Of course this action had no practical effect since the limitation imposed by the word had ceased to operate with the adoption of the Fifteenth Amendment in 1870, but it was indicative of a persistent antipathy against colored voters. More recently Negro citizens residing north of the Mason and Dixon line have begun to organize effectively and to act independently in politics. Thus in 1930 they contributed in large part to the opposition which led to the rejection by the Senate of the nomination of John J. Parker as an associate justice of the United States Supreme Court.²⁶

According to the Fourteenth Amendment to the Constitution of the United States, whenever the right to vote at any election . . . is denied to any of the male inhabitants of a state, being

²⁶ Walter White, “The Negro and the Supreme Court,” *Harpers*, vol. clxii, p. 238 (1931).

twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.²⁷ Here is a definite penalty that seems to fit exactly the case of grandfather clauses and other discriminations, avowed or concealed, against colored citizens in southern states. Why has it not been enforced by appropriate legislation?²⁸

Penalty
threatened
by Four-
teenth
Amend-
ment

In the first place it would be extremely difficult, if not impossible, to determine exactly to what extent the suffrage has been abridged in southern states by discriminatory as distinguished from other causes. Difficulties of registration and indifference of voters, for example, keep many from the polls South as well as North. Assuming that this initial problem could be solved, it would be necessary to inquire to what extent adult male suffrage had been abridged by literacy, taxpaying and similar requirements quite apart from "participation in rebellion or other crime," in northern as well as in southern states, and to penalize both accordingly.²⁹ Reduction of the representation of southern states would weaken them in the electoral college, but it would resolidify the solid South, and postpone indefinitely the cherished Republican dream of breaking it up for good and all, to say nothing of the probable loss of congressional and senatorial seats in certain border states which are now clearly debatable ground. Public opinion in the North has lost sympathy with the effort to enforce colored suffrage below the Mason and Dixon line. In this connection it is significant that the fulminations against "criminal nullification of the Constitution," coupled with threats of penalties under the Fourteenth Amendment, which were common features of Republican national platforms from 1868 to 1908, have been succeeded by silence since the latter year. On the other hand resolutions to investigate suffrage conditions in the South with a view to the reduction of the representation of that section have

Why not
enforced?

²⁷ *Library of Congress List of Discussions on the XIVth and XVth Amendments, with special reference to Negro Suffrage*, 1906.

²⁸ J. B. Knox, "Reduction of Representation in the South," *Outlook*, vol. lxxix, pp. 11, 169 (1905); E. O'Neal, "The Power of Congress to Reduce Representation," *North American Review*, vol. clxxxi, p. 530 (1905).

²⁹ Holcombe doubts, however, whether any northern state would lose representation, except possibly Pennsylvania. *Op. cit.*, p. 149. But cf. also p. 145.

been brought up in Congress repeatedly. They have produced the most splendid effects in verbal pyrotechnics, otherwise nothing. On May 18, 1921, a measure of this sort was defeated in Congress despite its overwhelming Republican majority, by a vote of 285 to 46. Moreover, the great mass of Negroes in the South have accepted exclusion with apparent indifference. All things considered, therefore, it seems highly unlikely that any legal action will be undertaken against southern states because of their suffrage restrictions.

SUFFRAGE FROM 1890 TO THE PRESENT TIME THE TRIUMPH OF WOMAN SUFFRAGE

Early
woman
suffrage
in New
Jersey

In one only of the thirteen original states—New Jersey—could women claim the right to vote. By its constitution of 1776 suffrage was conferred upon "all inhabitants of full age who are worth fifty pounds." Apparently few women availed themselves at first of the opportunity thus open to them. Later when a sufficient number took part in close elections to attract attention, the legislature excluded them (1807), by limiting the suffrage to "white male citizens."

Beginnings
of agita-
tion for
woman
suffrage

Agitation for woman suffrage attracted some attention and more ridicule during the 'thirties and 'forties of the last century. Organized work began in 1851. At first the movement was considerably involved with both temperance and anti-slavery agitations. The latter with its continuation after the Civil War in the struggle to enfranchise the Negro undoubtedly tended to thrust to one side the claims of women. On the other hand the gift of suffrage to Negro men, so far as it could be accomplished under the Fourteenth and Fifteenth Amendments, made it more difficult to deny suffrage to women. Since many illiterate blacks were permitted to vote north of the Mason and Dixon line the absurdity of withholding votes from educated white women became all the more glaringly apparent.

Local
successes

In 1861, the first small success of the new movement was scored when Kansas came into the Union with a constitution conferring the franchise upon women in school affairs.³⁰ The argument that women have an especial interest in such matters made an

³⁰ Unless one counts the action of Kentucky which in 1838 permitted widows with children in the schools to vote in school elections. Here, however, the idea was that the women who voted did so in place of their deceased husbands!

excellent entering wedge, and before national suffrage was granted twenty-two states had followed the example of Kansas. It is significant that six of the twenty-three granted full suffrage to women before the adoption of the Nineteenth Amendment. There were other scattered successes in the field of local suffrage such as conferring the right upon women to vote for library trustees; upon taxpaying women to vote in taxation and bond issue referendums, and, of more importance, the grant of full municipal suffrage, in which again Kansas was the leader in 1887.

The admission of Wyoming to statehood in 1890 marks an epoch in suffrage history. For the first time in the history of the country women voters began to figure not only in local, but in state and national elections as well. As a matter of fact the women of Wyoming were enfranchised in 1869, by the first legislative council held in the territory after its organization. This action resulted originally from a bit of partisan byplay,³¹ but the significant thing is that it gained general approval during the twenty-one years of territorial life, and in spite of a great deal of opposition and dismal prophecy, was insisted upon as an essential part of the first state constitution, when the question of statehood hung in the balance.

Wyoming
the first
woman
suffrage
state

Within six years after the admission of Wyoming, three other states conferred full suffrage upon women. Significantly enough all three were immediate neighbors of the original suffrage state. Thereafter the movement hung fire so far as state-wide gains were concerned until 1910, when a succession of victories occurred, including the important states of California and New York.³² The sacrifices made and services rendered by women during the World War unquestionably brought many converts to the cause.

Other
states
adopt
woman
suffrage

In 1912, the Progressive national convention, in which women

National
party
planks on
woman
suffrage

³¹ A. H. Shaw, *Story of a Pioneer*, p. 243. At the time this action was taken men outnumbered the women of the territory almost four to one. *Compendium IXth Census*, 1870, p. 546. However, in 1900 women made up 45 per cent of the population of the first four suffrage states admitted during the preceding decade. *Abstract XIIth Census*, 1900, p. 39.

³² The list is as follows: Wyoming, 1890; Colorado, 1893; Idaho and Utah, 1896; Washington, 1910; California, 1911; Arizona, Kansas and Oregon, 1912; Montana and Nevada, 1914; New York, 1917; Michigan, Oklahoma and South Dakota, 1918. In 1913, Illinois conferred statutory suffrage upon women covering all nonconstitutional state officers and presidential electors.

were largely represented, adopted a suffrage plank.³³ Prior to 1916, the platforms of the two major parties were silent on woman suffrage. In that year, with women already voting in eleven states, both parties expressed themselves somewhat cautiously as favoring its further extension by state action. Four years later, with women voting in sixteen states, including, so far as the Presidency was concerned, the highly important commonwealths of Illinois and New York, both parties warmly indorsed the pending national suffrage amendment.³⁴ In the midst of the national campaign it received the ratification of the legislatures of the necessary thirty-six states, and its adoption was proclaimed, August 26, 1920. The presidential election held less than ten weeks later thus became the first that witnessed the nation-wide participation of women voters.

Anti-suffrage arguments

During the struggle for the enfranchisement of women, anti-suffragists argued that woman's place was in the home; that she risked her highest prerogatives in that sphere by descending into the political arena; that most women were satisfactorily represented already through the votes of husbands, fathers, and brothers; that doubling the electorate would greatly increase the cost of campaigns and elections; that women would vote either exactly as their husbands did or on the basis of mere sentiment and emotion rather than of sober judgment and full information, or, finally, would lose interest and not go to the polls in numbers sufficient to affect the result.³⁵

Suffrage arguments

Advocates of suffrage made comparatively small use of the

³³ As follows: "The Progressive Party believing that no people can justly claim to be a true democracy which denies political rights on account of sex, pledges itself to the task of securing equal suffrage to men and women alike." For the attitude of minority parties on suffrage, see chap. vii.

³⁴ The Nineteenth Amendment, also known as the Susan B. Anthony Amendment in honor of the great leader of the suffrage movement, parallels the language of the Fifteenth Amendment, as follows: (1) "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. (2) Congress shall have power, by appropriate legislation, to enforce the provisions of this article." Passed by the House, May 21, 1919, by a vote of 302 to 89; the Senate, June 4, 1919, by a vote of 56 to 25. Supreme Court decisions, February 27, 1922, in *Fairchild vs. Hughes*, and *Leser vs. Garrett*, disposed of the last remaining legal objections to the Nineteenth Amendment.

³⁵ For a very ingenious attempt to unscramble the votes of men and women in the Portland, Oregon, election of 1914, using the statistical method known as partial correlation, see W. F. Ogburn and I. Goltra, "How Women Vote," *Pol. Sci. Quar.*, vol. xxxiv, pp. 413-433 (Sept., 1919).

natural-rights argument, but pointed out that women were citizens, that the standards of education attained by the great mass of them were certainly not lower than those obtaining among men, that many women owned property and paid taxes, and that ever-increasing numbers of them were finding industrial employment—all of these being conditions subjecting them to the control of government and all contributing to their fitness for the ballot. Owing to their special interest in such matters, it was urged that the enfranchisement of women would react favorably upon the public schools, health, and morals, and would humanize working conditions, particularly in regard to the labor of women and children. Their votes would be thrown against the saloon, the brothel, the gambling den, and vicious social and political conditions generally. Finally it was urged that the exercise of suffrage would result not only in the betterment of government, but in the development of women themselves to a broader usefulness and a sense of their public responsibilities.

At the present time, with woman suffrage established fully and irrevocably, public interest centers not in the more or less *a priori* arguments on the subject, but in the actual effects produced. These are extraordinarily difficult to disentangle, since the votes of women are cast and counted with no means to distinguish them from the votes of men. Certainly the prediction that women would not vote in considerable numbers has been falsified by the event.³⁶ Former anti-suffrage women go to the polls apparently to the same extent as their pro-suffrage sisters, and opposition to the Nineteenth Amendment is seldom heard of either among men or women. Women have begun to take an active part in the organization and work of political parties. The League of Women Voters, successor to the National American Woman Suffrage Association, has undertaken on a nation-wide scale a most intelligent program designed to educate women for the proper performance of their political duties. Women generally have not developed a mania for office seeking, nor leagued themselves against men on a basis of sex antagonism, nor employed their newly acquired political power to punish the former enemies of suffrage or to press for the ideals of extreme feminism.

The effect of woman suffrage upon the output of social legisla-

Effects of
woman
suffrage

³⁶ Cf. Holcombe, *op. cit.*, pp. 144-145, who estimates that in the oldest four suffrage states women voted apparently about five-sixths as generally as men.

Suffrage
and citi-
zenship of
women

tion, particularly legislation in the interest of women and children, may best be studied in those western states where it has existed longest. With regard to its effects upon the character of women a careful observer writes: "It has enlarged their interests, quickened their civic consciousness, and developed in many cases ability of a high order which has been of service to the city, the county, and the state. . . . Equal suffrage is a step in the direction of a better citizenship, a more effective use of the ability of women as an integral part of the race, and a closer understanding between men and women."³⁷

Summary :
white man-
hood suf-
frage

A review of the three great suffrage periods in the history of the United States brings out certain decided similarities and contrasts. Between 1789 and 1860, white manhood suffrage was achieved largely as the result of the efforts of the disfranchised classes themselves, classes which were rising in the social scale, acquiring education and property at the same time that their political powers were increasing. The process was a gradual one, accomplished wholly by comparatively small changes made first in one state, then in another. Federal action was not involved in any way. In short it was an evolution, slow and sane, the results of which have justified themselves so thoroughly that it can be criticized only as to minor details except by those advocates of aristocracy or dictatorship who take a wholly anti-democratic position.

Negro
suffrage

During the second period (1860-1890), the effort to enfranchise Negroes was made with the federal government enacting the principal part. Post-war passions were prevalent to an extreme degree, and acceptance of the Fourteenth and Fifteenth Amendments was secured only by measures of duress so far as the southern states were concerned. Recently freed from slavery, the colored race as a whole did not possess those qualities of cohesion and intelligence which alone would have enabled it to play an active part in the process. Indeed, the theory underlying the case was not that fitness justified the removal of suffrage disabilities by the Fifteenth Amendment, but that the removal of the disabilities would enable the colored race to develop fitness for the gift of suffrage. North of the Mason and Dixon line the black man votes freely, often it must be admitted under the control of corrupt

³⁷ Helen L. Sumner, *Equal Suffrage, The Result of an Investigation in Colorado* (New York, 1909), pp. 258-260.

machines. Against federal action southern states resorted to every possible form of opposition, with the result that Negro suffrage is largely inoperative in that section. What the future of the issue thus presented is to be remains obscure; its most hopeful prospects are supplied by the educational and economic advance of the colored race.

During the third period (1890-1920), woman suffrage won its way largely by the efforts of the women themselves, first in a series of impressive state victories, finally by the adoption of a national amendment which was secured wholly without the exercise of federal intimidation to secure ratification by the states. Earlier grants of suffrage were made for the benefit of members of a lower social class or race. Equal suffrage to women differs sharply from these earlier grants in that it extended suffrage not downward, but laterally. Under the prevailing views regarding the position of women in the United States it is safe to say that the standards of the women, socially and educationally, who received the grant of equal suffrage in 1920 or earlier, were certainly not inferior to those of the already enfranchised men of their own family and class. Finally the grant of suffrage to women accomplished during the period 1890-1920, seems to be accepted as unreservedly as the acquisition of white manhood suffrage during the period 1789-1860.

Woman
suffrage

A summary of existing qualifications for voting reveals a degree of liberality and, on the whole, of uniformity, both of which are in sharp contrast with the narrow restrictions in vogue at the beginning of our national life.³⁸ In all the states the old English rule fixing twenty-one years as the age of legal majority has been adopted as the voting age.³⁹ Citizenship is now required everywhere.⁴⁰ Besides felons, idiots, and the insane, persons are dis-

Existing
qualifica-
tions

³⁸ K. H. Porter, "Suffrage Provisions in State Constitutions," *Am. Pol. Sci. Rev.*, vol. xiii, pp. 577-592 (Nov., 1919).

³⁹ Registration and enrollment are usually permitted to persons whose twenty-first birthday falls between the date fixed for these requirements and election day. In Pennsylvania a minor becomes of age for voting purposes on the day preceding the twenty-first anniversary of his birth. Two states requiring payment of poll taxes, North Carolina and Pennsylvania, exempt persons just coming of age.

⁴⁰ In Massachusetts naturalized citizens must be United States residents for two years before voting. Chinese are excluded by California, Nevada, Oregon, and Idaho, and, of course, are more widely debarred because they are not eligible for naturalization. Indians not taxed are barred by ten states. Michigan, Minnesota, North Dakota, and Wisconsin specifically include civilized Indians.

qualified in nearly all states for various minor delinquencies, the most common being bribery and election offenses in twenty-three states, including betting on elections in three of them;⁴¹ dueling in seven states; also for dishonorable discharge from public office, malfeasance, delinquency in tax payments, desertion from military or naval service, and teaching polygamy. Paupers and vagrants are excluded in thirteen states;⁴² persons under guardianship by twelve; and soldiers and sailors by eleven states.⁴³ During the presidential campaign of 1932 considerable uproar was caused by an effort to invoke a Maine statute more than a hundred years old which disfranchised any citizen who had received pauper aid within three months of an election. It was alleged that several other states possessed archaic laws of this character. If resurrected during a depression they would exclude from the ballot box large numbers of citizens temporarily unemployed through no fault of their own.

Residence

All states require a certain period of legal residence within the state, shorter periods being specified for residence in the county; city, or town; election district, precinct, or ward. State residence requirements range from three months to two years, the longer term being preferred, for reasons stated above, in the South. Thirty-two states require one year. In the county and town the term varies from ten days to one year; in the election district, ward, or precinct, from one day to one year. Legal residence, which is defined by the laws of the states, may or may not coincide with actual habitation. The individual's own intent established if need be by a sworn statement is usually accepted as conclusive, although the common practice of permitting a man's legal residence to determine where he shall be assessed for personal property, income and poll taxes, complicates the situation.

Literacy tests

Literacy tests are imposed by twenty-three states, thirteen of which are south of the Mason and Dixon line and four in New England.⁴⁴ Thus two sections of the country of widely different character agree in one of their electoral policies, however not for the same reason. Massachusetts was the first commonwealth to

⁴¹ Florida, New York, and Wisconsin. Betting on elections can, of course, be used as a concealed form of vote buying.

⁴² Former soldiers and sailors excepted by Louisiana and Oklahoma.

⁴³ Special arrangements were made to take the votes of soldiers and sailors in service during the Civil War and the World War.

⁴⁴ Connecticut, Maine, Massachusetts, and New Hampshire.

impose literacy tests (1857). During the period from 1890 to 1920 voting requirements of this character attracted wide attention, no fewer than fourteen states passing laws on the subject. Since 1910 the only accessions to the list have been Oklahoma, 1911; Arizona, 1913; Oregon, 1924; and New York, 1923—the last named being of particular importance not only because of its size but also because decision was made by a referendum vote.⁴⁵ Ability to read is all that is required to qualify for voting by eight states; in the others ability to write is also required. However three southern states—Mississippi, Virginia, and Louisiana—permit illiterate persons to qualify provided they can understand or explain the constitution when read to them; and still another—South Carolina—accepts ownership and payment of taxes on property worth \$300 or more in lieu of the ability to read and write. Obviously no high educational standard is set by any of the literacy tests; indeed of the states which prescribe both reading and writing five require nothing more under the second heading than the ability on the part of the applicant to sign his own name. It would be hard to devise a more elementary reading test than that of the Tennessee law according to which the prospective voter must be able to mark his ballot unless blind! New York is considerably stiffer in its requirement. The applicant unable to present a certificate of graduation from the eighth grade of an elementary school must pass a simple reading and writing test administered by school authorities. Although the intelligence of a twelve-year-old child should suffice to meet this test, from five to ten per cent of the applicants fail.⁴⁶ Reference has been made above to the specific and by no means purely educational purpose of literacy tests below the Mason and Dixon line—namely, the exclusion of illiterate Negroes. A review of the northern states which had such qualifications in 1920 showed that the proportion debarred thereby is low, ranging from one and a half to four and a half per cent.⁴⁷

Property qualifications have entirely disappeared with the ex-

Tax-pay-
ing quali-
fications

⁴⁵ Cf. V. J. West, "1921 Legislation respecting Elections," *Am. Pol. Sci. Rev.*, vol. xvi, pp. 460-465 (Aug., 1922).

⁴⁶ See F. G. Crawford, "Operation of the Literacy Test for Voters in New York," *Am. Pol. Sci. Rev.*, vol. xxv, pp. 342-45 (May, 1931).

⁴⁷ For table see A. N. Holcombe, *State Government*, rev. ed., p. 154. Out of nine northern states Delaware alone excluded a larger proportion of illiterates than that stated above, its figure for 1920 being 6.5 per cent.

ception of a single curious survival in Rhode Island permitting unregistered voting upon a shorter period of residence to those "really and truly possessed" of local real estate worth \$134 or which shall rent for seven dollars a year.⁴⁸ However, nine states, seven of which are southern, require the payment of or assessment for state or poll taxes. Massachusetts and Pennsylvania are the two northern states which maintain such requirements. The manner in which they have operated in the South to exclude Negroes has already been explained. In the two northern states maintaining them they are of slight consequence. A distinction should be made between the Massachusetts law which simply requires assessment for poll taxes, and consequently excludes few, if any, and the Pennsylvania law which requires actual payment. The grave defect in connection with requirements of the Pennsylvania type is that, wherever political competition exists, party workers pay the poll taxes of delinquents, hand them the receipts, and usher them to the polls with the charitably pious and not often disappointed hope that they will vote "right" and "straight."

The present
electorate

Some measure of the enormous sweep of suffrage movements during the whole period of our national life may be gained from the fact that whereas only 6 per cent of the total population possessed the right to vote during the revolutionary period, at present it is possessed by from 40 to 45 per cent.⁴⁹ No proposals are pending for any considerable additions to the electorate. This condition, it will be recalled, is unprecedented in our history, but could not well be otherwise, since with an adult citizenship basis approximately attained no further extension is possible except by reduction of the age requirement.⁵⁰ In thoughtful circles the drift is clearly toward higher qualifications for the suffrage. It is, however, a far easier thing to extend than to curtail voting rights. A proposition of the latter character can easily be transformed into political capital to attract voters of the threatened class.

⁴⁸ *Election Laws of Rhode Island*, 1930, p. 1.

⁴⁹ J. Q. Dealey, *Growth of American State Constitutions*, p. 150.

⁵⁰ The constitution of the present German Commonwealth fixes twenty years as the voting age (chap. i, sec. ii, art. 22), although under the Empire the completed twenty-fifth year was required. As a result of the prominent and rather boisterous part played by youth in the Hitler movement there is now a large body of conservative opinion in Germany favorable to the restoration of the old qualification. In Soviet Russia the voting age is fixed at eighteen, being based not on the attainment of manhood but on the beginning of full-time labor.

Unless such voters are sadly deficient in number or influence it is not likely that measures will be taken against them.

For the adoption of literacy tests by all states in the Union a strong argument can be made in these days of universal education. Unless such requirements are made much higher than those already in force, however, they would reduce the electorates of northern and western states by very small percentages. Probably there is some merit in the argument that literacy tests for voting have a beneficial reaction upon the public schools. Certain it is that the tests should be made, as in New York, by teachers rather than by election officers. Restriction of immigration has furthered the assimilation of aliens, hence it is not desirable that the process of naturalization should be made more difficult. Much may be said in favor of a uniform suffrage law for federal elections; however it would require an amendment to the Constitution of the United States, which would be opposed strenuously by southern and border states.⁵¹ Present taxpaying qualifications exclude but few in the northern states, and, as we have seen, involve certain grave objections in practice. It is not desirable to raise them further, nor is there the slightest likelihood that they could be raised to a point excluding any considerable number of poorer citizens.

Possible
future
limita-
tions

In short, the possibility of any material limitation of our present electorate is slight. Hopeless of improving it by curtailment various schemes have been experimented with abroad designed to increase the political influence of presumably better-qualified voters. Such devices conferred plural votes, or votes of greater value, upon persons with large property interests or of high educational and social standing. They were, however, constant causes of dissension and ultimately succumbed to the assaults made upon them by democratic or radical reformers. In America plural voting or other devices to increase the electoral power of certain classes of voters are clearly outside the realm of the practical, the nearest approach to them being the limitation of suffrage in local bond issue elections to taxpayers only.⁵² To those who believe that our present electorate contains unsatisfactory elements, therefore,

Improve-
ment of the
electorate

⁵¹ J. Q. Dealey, *Growth of American State Constitutions*, p. 150.

⁵² Cf. W. B. Munro, *op. cit.*, pp. 129-135, on the former Prussian three-class system; T. H. Reed, *Government and Politics of Belgium* on the plural voting scheme in that country.

the most promising method of reform is to be found in the improvement of the electorate itself by education and by social legislation.

BOOK NOTES

For a survey of voters and the voting process on the widest possible scale the reader may consult C. Seymour and D. P. Frary, *How the World Votes* (2 vols., 1918), Chs. IX to XIV of which are devoted to the United States.

*K. H. Porter, *History of Suffrage in the United States* (University of Chicago Thesis, 1918), is the most comprehensive and useful monograph in this field. For a study of origins see C. F. Bishop, *History of Elections in the American Colonies* (Columbia University Studies, Vol. III, No. 1, 1893), and A. E. McKinley, *Suffrage Franchise in the Thirteen English Colonies* (University of Pennsylvania, 1905). D. H. Smith, *The Bureau of Naturalization* (1926), describes the process and administrative organization of granting citizenship to persons of alien birth.

*P. Lewinson, *Race, Class, and Party* (1932), is an admirable and thorough study of the history of Negro suffrage and of white politics in the South.

The most monumental work on woman suffrage is the *History of Woman Suffrage* (4 vols., 1881-1902), edited by Elizabeth Cady Stanton and others. Helen Sumner, *Equal Suffrage: The Results of an Investigation in Colorado* (1909), deserves special mention as the most thorough and judicious discussion of the results in a single state prior to the adoption of the Nineteenth Amendment. The *Woman Suffrage Handbook*, by Frances M. Bjorkman and Annie G. Porritt, published for the National Woman Suffrage Association in 1915, was widely used as a campaign manual.

CHAPTER XV

ELECTIONS AND BALLOTS

SUFFRAGE laws, such as were discussed in the preceding chapter, merely state in general terms the qualifications and disqualifications of voters. The original practice in enforcing these laws was to allow applicants to present themselves at the polls and cast their ballots unless contested, in which case the matter was decided summarily by the election officials. In rural communities where every resident is well known this method worked satisfactorily, but in great cities it afforded no safeguard against illegal voting, which was made possible on a large scale by the presence of masses of casuals and foreigners.

Early conduct of elections

The first line of defense against this evil was the requirement, now made either by constitution or statute in all states, that lists of qualified voters be prepared in advance of election day. Under the older method of doing this the lists are made up by selectmen, poll-tax collectors, or some other body of local officers. This method had the advantage of allowing time for investigation, but in large cities it broke down hopelessly under the assaults of "colonists," "repeaters," and election criminals generally. It was notorious that in some wards the names of the dead were never removed from the lists and that "phantom voters" regularly appeared to cast their ballots. In the same way the names of electors who had changed their residence were regularly voted upon, and every other possible device was employed to pad the lists with the names of persons who were non-residents or whose claims to the right of suffrage were of the most flimsy sort.

Voters' lists

PERSONAL REGISTRATION

Beginning in 1866, New York and California made a second and more thoroughgoing effort to meet this situation by the passage of personal registration laws. The common feature of all such laws, which are now found on the statute books of more than forty states, is the requirement that the voter must appear personally in advance of the election before a board of registrars

Personal registration laws

and produce satisfactory evidence that he possesses the legal qualifications for suffrage. In larger cities and in a few states this must be done every year or every two years, but with these exceptions it is sufficient to register upon coming of age or upon acquiring a new legal residence, the voter's name remaining on the lists thereafter until his death, removal, or disqualification.¹

Registration
days

Three or four days are usually designated for the work of registration in our principal cities. As a rule the convenience of voters is consulted by designating different days of the week ten or more days apart. Thus in Pennsylvania cities of the first class the days chosen in even numbered years are the ninth Thursday, the seventh Tuesday, and the fifth Saturday preceding the general election. Some provision is usually made for the relief of those able to present satisfactory excuses for absence on these days. The work is performed by registrars at the regular polling places in each precinct. In all cases record is made of the voter's full name and residence, but in cities he must give under oath a mass of additional data such as his occupation; whether he is a householder, lodger, lessee, or owner, and if lodger or lessee of a portion only of a house the location or number of the room or floor he occupies; length of residence in the state and district; location from which he last registered with date; place of birth; whether being foreign born he produces his naturalization papers; payment of taxes, whether shown by tax receipt or by making affidavit; his personal description, whether white or colored; his approximate age, height, and weight; and finally the voter's signature if able to write.² An interesting feature of the New York law, the purpose of which is obvious, is that whereby "a voter over thirty years of age may state such age as 'over thirty' and have it so entered on the register."³

Check
lists

All this information is tabulated alphabetically by the registrars in ballot check lists and voting check lists designed for the use of poll clerks and judges on the ensuing primary or general election day. It is a common practice to print and post in conspicuous

¹ In Pennsylvania, for example, the personal registration law applies only to cities of the first, second, or third class.

² *Personal Registration Act, First Class Cities, Pennsylvania* (Act 1919, sec. 13, P. L. 864). Those desiring to qualify for primary elections must also give the name of the party to which they belong.

³ L. 1922, chap. 588, § 164.

places "street lists," showing by consecutive house numbers all voters registered from each house in each street of every precinct.⁴ Substantial penalties involving fines and imprisonment are prescribed for violations of the law. In Pennsylvania false registration is punishable by a fine not to exceed \$1,000 or imprisonment not to exceed three years or both; in New Jersey by similar penalties except that the term of imprisonment may be five years.

As we have had occasion to notice already in connection with southern suffrage laws, the effect of any system of registration depends largely upon the character of those who administer it. The common practice throughout the country is to appoint representatives of both the principal parties on boards of registration in the hope that mutual suspicion will prevent abuses by either. In Pennsylvania the governor appoints a central board of registration commissioners in each city of the first and second classes. The Philadelphia Board of Registration Commissioners is composed of five members, not more than three of whom shall belong to the same political party. This board appoints, after examination, four registrars for each election district in the city, who "must be sober and judicious persons, of good moral character, able to read intelligently and to write legibly." Two of the four registrars must be members of the party polling the highest vote within the district at the last preceding November election, and one, at least, must be a member of the party polling the next highest vote. Nomination for appointment as registrar is made by petition signed by five or more qualified electors of the same party in the district. A New Jersey Law of 1911, repealed 1920, provided for nominations by party committees or by groups of citizens. These nominees were to be examined both as to character and fitness by the civil service commission, and from the list certified by the latter appointments were made by lot. Of course the success of this plan depended upon the non-partisanship of the civil service commissioners. In addition to the estimable qualities noted above, it is desirable that registrars should be citizens of long residence, thoroughly familiar with the population of their districts. Experience is a great asset and every effort should be made

Registration
officials

⁴In New Jersey municipalities of over 15,000 inhabitants the chief of police makes an investigation of the registry lists to ascertain if the persons named therein are residents at the address given by them. *Election Law, Rev. 1920*, art. xi, sec. 120.

to continue those who give good service for as long a period as possible.⁵

Argument
against
registra-
tion

A stock argument against registration laws is that, no matter how searching and detailed they may be made, machine voters will never fail to get on the lists to 100 per cent of their strength, whereas many good citizens, immersed in their affairs, will not be able to find the time to appear annually or biennially before the registrars and consequently will be disfranchised, the net result being a relative increase in the strength of the machine. So far as machine voters possessing legal qualifications are concerned the argument is convincing. No doubt there are otherwise "good" citizens unwilling or unable to take the time to register, and still others who object to giving the detailed personal information required. It is impossible, however, to determine just how numerous these are as distinguished from the number of those, undoubtedly considerable, who would not take the trouble to vote even without the necessity of registering.⁶

Argument
for regis-
tration

If this were the end of the argument, decision would have to be given against personal registration. But it leaves altogether out of account the fact that, prior to the enactment of laws of this character, a substantial part of the machine strength, often a determining factor in close elections, was made up of fraudulent voters. Now fraudulent voting is made more difficult, costly and dangerous by personal registration. No doubt there are innumerable ways of beating the law, given the requisite agents and means.⁷ And there have been deplorable scandals under carefully drawn registration statutes, notably the Terre Haute affair of 1914, when an orgy of fraud occurred involving the mayor and 115 other local politicians.⁸

⁵ In Philadelphia 1,002 of the 3,333 district registrars in 1915 had served four years and more. *Tenth Annual Report, Board of Registration Commissioners*, p. 14.

⁶ Holcombe, *op. cit.*, p. 149, shows that of the total number of adult male citizens in Massachusetts less than 4 per cent were disfranchised by the literacy qualification, whereas 13 per cent were disfranchised by failure to register. But even without the necessity of registration it cannot be maintained that the entire 13 per cent would have appeared at the polls.

⁷ A very interesting account of the methods used in New York City in 1910 is given by E. R. Finch, "The Fight for a Clean Ballot," *Independent*, vol. lxiii, p. 1020 (May 12, 1910).

⁸ Holcombe, *op. cit.*, p. 216; S. C. Stinson, *National Municipal Review* (Jan., 1916). Developments in the registration experience of various other American communities are discussed briefly in the *National Municipal Review*

On the other hand, with proper administrators and with public opinion supporting personal registration laws, there is no doubt that voting lists may be made and kept reasonably clean. Offers by groups of responsible citizens of large rewards for evidence sufficient to convict violators of the law and a few stiff penalties thereunder have a very salutary effect. By such methods creditably clean elections have become the rule in Philadelphia, whereas less than thirty years ago it was commonly asserted and believed that there were fifty thousand fraudulent names on the rolls, and where, according to a current witticism, the signers of the Declaration of Independence were still voting regularly.⁹ The wide extension of registration laws throughout the country is evidence that their utility is generally recognized.

Cleansing
of voting
lists

In the last analysis, therefore, it may be admitted that personal registration keeps from the polls a considerable but indefinite number of neglectful but otherwise, perhaps, desirable voters. Too much sympathy may easily be lavished upon citizens of this weak type. On the other hand, personal registration excludes a considerable but indefinite number of impersonators, repeaters, colonists, fraudulent voters, and election criminals generally. Even if the first of the above unknown quantities exceeds the second, there is a clear gain in the process. No democracy can afford to temporize with crimes against the ballot. Finally registration imposes no intolerable burden upon the citizen with a sense of public duty sufficient to induce him to make the personal effort necessary to keep elections honest.

Net result
of regis-
tration

Recent experience has shown that the cost in time and effort imposed by periodic general registration of voters is unnecessary to a very large degree. A great saving in both regards is effected by the system of permanent registration which has been employed in Boston for more than thirty years. It did not attract general attention, however, until it was adopted by Omaha and Milwaukee

Permanent
registra-
tion

as follows: Minneapolis by F. L. Olson, vol. xiii, pp. 488-492 (Sept., 1924); Milwaukee by J. P. Harris, vol. xiv, pp. 603-609 (Oct., 1925); San Francisco by the same writer, vol. xv, pp. 212-218 (April, 1926); and Louisville by D. R. Castleman, vol. xvi, pp. 761-769 (1927). In the same periodical F. H. Riter holds "Permanent Registration unsuitable to large cities," vol. xiv, pp. 532-535 (Sept., 1925).

⁹ For a very complete and vivid picture of conditions at this time see C. R. Woodruff, "Election Methods and Reforms in Philadelphia," *Annals American Academy*, vol. xvii, p. 181 (March, 1901).

eighteen years ago. Their example has been followed subsequently by Denver, Portland (Oregon), Minneapolis, St. Paul, and many smaller municipalities. Under the system of permanent registration a voter's name remains on the list as long as he continues to reside at the same address, and, in some cases, as long as he continues to reside within the city. Records are made not by temporary and inexperienced workers but by a permanent, skilled staff, and are kept corrected and up to date constantly on the basis of reliable information such as death reports, transfers of registration, and careful house-to-house checks. Originally it was feared that permanent registration might open the door to the old evils of inflated lists and voting frauds, but experience in the above named cities shows that their records are more complete and accurate than elsewhere. Most significant of all, these cities have remained free from the election scandals which still occur at times under the system of periodic registrations.¹⁰

ELECTION LAWS

Earlier
election
laws

The earlier election laws of our commonwealths were comparatively brief and simple. They fixed the qualifications for suffrage, provided for the laying out of election districts and the choice of election officials, laid down a few rules for the conduct of elections, and defined various crimes such as bribery, fraudulent voting, intimidation, assault, ballot-box stuffing, defacing, alteration, or destroying election papers, and betting on elections. Later, with the rise of anti-liquor sentiment, laws were passed prohibiting the use of barrooms or rooms adjacent thereto as polling places and closing saloons or prohibiting the sale or furnishing of liquor on election day.

Later elec-
tion laws

During the last four decades not only have large additions been made to election laws of the above character, but wholly new fields of administration and regulation have been invaded. At the present time almost every detail of the election process is minutely prescribed by laws dealing with registration, with the printing and distribution of ballots, the furniture of polling places, the construction of voting booths and of ballot boxes, the presence of watchers and challengers, the forms used in counting, recording, and reporting the vote, the custody of ballot boxes, the final official count, and the conduct of contested election cases.

¹⁰ J. P. Harris, *Registration of Voters in the United States* (1929), p. 16.

It was characteristic of our earlier election laws that they did not attempt to deal with political parties as such; in fact, the existence of parties was ignored by the laws of this period. Beginning in 1888, however, with the adoption of the Australian ballot in its American form, this attitude of aloofness could no longer be maintained. And shortly thereafter, as we have already noted, primary election laws undertook to define parties and either to regulate or to administer for them the processes of nomination. At the same time Corrupt Practices Acts were passed regulating the financial methods of candidates and parties to a considerable degree. While, on the one hand, laws of these newer types do limit certain partisan activities, on the other hand, they have given recognition to parties as such, thereby greatly enhancing the prestige of the latter.

Legal
regulation
and recog-
nition of
parties

As a result of these numerous additions the election laws of our states have grown to formidable proportions. In each of the more important commonwealths they make, published separately, a volume of three or four hundred pages. For the student of politics no manual is of greater practical importance than the election laws of his state. They may best be studied not simply as texts, but in connection with actual experience as registrars, poll clerks, watchers, or as ward or county committeemen. It is in the latter school that party workers have acquired most of their knowledge of the subject—a knowledge, by the way, which they are often able to use with telling effect against amateurs and reformers.

Size and
importance
of election
laws

BALLOTS

No part of our election procedure has been more profoundly transformed by law than that relating to ballots. Originally a number of the Colonies, following the old English tradition, conducted elections by the oral or *viva voce* method. This method was defended as the only manly and open way of voting, and also on the ground that it enabled men of education and substance to voice their preferences publicly, thus taking the lead in influencing their humbler fellow citizens. On the other hand, the use of voting papers or ballots, which were introduced at an early date, was advocated as necessary to preserve the independence of poorer voters as against their influential neighbors. Further, the ballot system has the marked advantage that it affords a sub-

Viva voce
voting vs.
ballots

stantial record of the voters' choices in case of a dispute over the result of an election. The controversy thus raised between voting by ballot and voting orally lasted far into the nineteenth century, but ultimately the former method triumphed everywhere.¹¹

Early
forms of
ballots:
"scratch-
ing"

Originally ballots were quite informal affairs, being merely written slips of paper prepared by the voter himself or, if he needed assistance, by one of his more literate friends. Later they were printed by candidates or party committees who distributed them freely in or about polling places. Voters had to mark and cast them under conditions which made secrecy well-nigh impossible. Usually these earlier "tickets" were printed on long narrow sheets, and hence were known as "shoestring ballots." This form, which is in sharp contrast with the "blanket ballot" common to-day, still survives in Mississippi, where the ballots used in 1928 were 18 by 3 inches. Shoestring ballots folded easily to vest-pocket size. By so folding them privately before going to the polls and by concealing them with the hand in depositing them in the ballot box a "vest-pocket voter" might possibly succeed in maintaining the secrecy of his ballot. Frequently, however, they were printed on colored paper or on paper otherwise so marked that watchers could distinguish them even from across the street. Fifteen states attempted to prevent this by passing laws requiring ballots to be printed on plain white paper, but by choosing white papers of different shade, texture, or finish the politicians could still tell which ticket a man voted. It is true that there was nothing to prevent persons who wished to vote independently from preparing written ballots of their own—nothing, that is, except the fact that their independence might become known to an unsympathetic community. Large numbers of "trick" or "phony" ballots were circulated purporting to be the straight Republican or Democratic article, but in reality containing the names of one or more candidates of the opposing party. A ballot of this sort might carry the name of the Republican party and its candidates for

¹¹ Virginia and Kentucky were the last to give up the *viva voce* method. The former abandoned it during the Civil War. In the 1850 constitution of the latter the section on this subject read that: "in all elections the votes shall be personally and publicly given *viva voce*, provided that dumb persons entitled to suffrage may vote by ballot." This section was dropped in the revision of 1891. Cf. J. Schouler, "Evolution of the American Voter," *Am. Hist. Rev.*, vol. ii, pp. 665-674 (July, 1897); H. J. Ford, *Rise and Growth of American Politics*, p. 5.

the Presidency and Vice-Presidency at the top with a full list of Democratic presidential electors immediately following. Persons who did not wish to vote straight merely "scratched" the names of the candidates they disliked, writing in others, hence the term still used in our politics although the practice itself has long since disappeared from all but half a dozen southern states.¹² At times they tore off the top or bottom of the "ticket" containing the names of candidates they disliked and deposited the remainder which, like a strip of mileage on a railroad train, was counted for what it was worth. Large numbers of otherwise quite regular Democrats voted these so-called "bob-tailed ballots" in 1872 when the high-Protectionist, ex-Republican Horace Greeley was their party's nominee for the Presidency.

There was no provision for secrecy in marking ballots at polling places. Since it was so easy to ascertain how a man voted, coercion and intimidation by employers and others could be practiced effectively. Also it was quite possible for a corruptionist who had bought a vote to place a ticket in the venal voter's hand and watch him until he deposited it in the ballot box. Thus "delivery of the goods" was insured, and one could pay over bribe money or use "soap"—as the slang of the day put it—with the certainty of having received a *quid pro quo*. Once in the ballot box, there was nothing to distinguish valid from invalid ballots. This made possible the use of "pudding" ballots, which were printed on thin paper so that two or more might be folded to look no larger than one when dropped in—possibly with the collusion of election officials. In general the existence of large blocks of ballots in the hands of irresponsible persons of all sorts made ballot-box stuffing easy.

Ballot
frauds

Under such lax conditions and favored by the general absence of adequate registration, frauds were rampant, especially in cities, during the decades following the Civil War. Relief was sought by the introduction in a modified form of a ballot system originally used in Australia as early as 1856, and copied by England in 1872. The first trial of this system made in the United States was at a municipal election held in Louisville, Kentucky, in 1888.

Introduc-
tion of
the Aus-
tralian
ballot

¹² Scratching still prevails in Arkansas, Mississippi, South Carolina and Virginia. The Texas law provides that the voter shall draw a line through the names of candidates and the text of referendum issues to which he is opposed. Also in Georgia amendments are scratched.

Massachusetts also enacted a law on the subject in the course of the same year. So great was the need for reform that thirty-two states had provided for the introduction of the Australian ballot before the presidential election of 1892. At present all the states with four exceptions use it in some form, modified to be sure to meet local needs and too often deprived of certain essential safeguards. Of the four which have not adopted the reform South Carolina adheres most closely to the old policy of *laissez faire* as regards ballots. In that state the law requires simply that they be printed on white paper, $2\frac{1}{2}$ by 8 inches, containing only names of offices and candidates. Other southern states which have not adopted the Australian plan do apply the principle of a state guaranty of the genuineness of lists of candidates for state and national offices, which are certified by the secretary of state to county officials. As a rule the latter look after the printing and distribution of ballots.

Method of
voting
under
Australian
ballot
system

Under the Australian system ballots are printed by state officials, their genuineness being attested usually by an indorsement on the reverse side, with the facsimiles of the signatures of the officials preparing them. They are distributed with extreme precaution to local officials immediately before the opening of the polls. Specimen or sample ballots are also prepared and distributed at polling places so that the voter may study them before calling for an official ballot. These specimen ballots do not bear the indorsement of the official ballot and to further distinguish them are usually printed on colored paper. After being checked up as to registration, the voter is handed an official ballot by the judge of elections. He must take it at once to a booth curtained from view, mark it, fold it so that the printed face of the ballot is concealed, and, emerging from the booth, deposit it in the ballot box, leaving the polling place immediately. If the voter spoils a ballot he must return it to the election official, who cancels it and gives him another. In some states a third ballot may be obtained in the same way, but that is the limit for a single voter.

"Assistance"
to
voters

Australian ballot laws usually permit "assistance" to voters who allege inability to mark their ballots. In the case of a person pleading illiteracy or physical disability an oath is usually required to that effect, and a member of the election board, or two members of opposite political faith, may be assigned to accompany him to the booth and mark the ballot in accordance with

his instructions. Neglect of these precautions, as in Pennsylvania general elections where the voter's word alone is sufficient and where he may choose "any qualified voter of the election district to aid him," obviously leaves the way wide open to defeat the purposes of the Australian ballot law.¹³

Another method employed to defeat the law is known as the "Tasmanian dodge," or "endless chain." By hook or by crook an official ballot is procured early on election day. One method of doing this is by collusion of election officials. Another is to send a dependable voter in at the opening of the polls with a piece of paper prepared to resemble a ballot. Securing an official ballot, he retires to the booth, pretending to mark it. Instead of depositing it in the ballot box, he deposits the worthless piece of paper brought with him when the inspectors are not looking, carrying the unmarked official ballot to his confederate outside. The latter marks the ballot to suit himself, hands it to the next voter, who is instructed to deposit it and bring out another unmarked official ballot. By continuing this process throughout the day a corruptionist may assure himself that every one of his henchmen "votes right." Thus he can pay for their services in the blissful assurance that the "goods" were "delivered."

"Endless
chain"
fraud

Of course every party to this procedure violates the law and lays himself open to more or less severe penalties in case of conviction. It may be prevented easily by employing the safeguard provided in New Jersey and several other states. In these states every ballot has a numbered and detachable coupon at the top which the voter exhibits, after he has marked his ballot, to a member of the election board, without, however, displaying any part of the face of the ballot. Thereupon the member of the board removes the numbered coupon and himself, in full view of the voter and other officials, deposits the ballot.¹⁴ By this procedure the secrecy of the voter's choice is preserved and at the same time the removal of any official ballot from the polling place is effect-

New
Jersey
coupon
device

¹³ *Act 1903*, sec. 1, P. L. 213. By a later law, however (*Act 1913*, sec. 11, P. L. 732; sec. 23, P. L. 739), an affidavit is required for assistance in Pennsylvania primary elections. Philadelphia machine methods of using the assistance clause are described by C. R. Woodruff, *op. cit.*, p. 197.

¹⁴ For legal details regarding the coupon ballot device see the *New Jersey Act to Regulate Elections*, as revised April 18, 1930, pars. 135, 188, 193 and 194. Stubs of a similar character are also in use in Arizona, California, Colorado, Maryland, Michigan, Montana, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Tennessee, Utah, and Washington.

ally prevented. The latest state to adopt this simple and extremely practical device was Pennsylvania which in 1931 made it applicable to primary, municipal, general and other elections.¹⁵

Marking
ballots

Australian ballot laws usually require voters to mark their ballots only with a penciled cross mark in the squares to the right or left of candidates' names. In some states they may be marked only with a circular stamp the use of which excludes the possibility of making crosses in such a way that they might be identified. Many ballots are invalidated in whole or in part because of neglect to follow the rules prescribing the way in which they shall be marked. In New York City alone there were in the election of 1914 blank, void, and defective ballots as follows: for governor, 23,831; for lieutenant-governor, 56,163; for secretary of state, 57,275; and so on down the ticket, making an average of over fifty thousand votes lost on the ticket as a whole. Controversies over valid and invalid markings on ballots are sometimes carried to the courts. Although it is somewhat difficult for the lay mind to fathom the grounds for the decision, the Court of Appeals of New York¹⁶ held the following alleged cross marks to be valid:



and the following to be void:



Writing in
names of
candidates

All the foregoing legal subtleties are designed to protect the secrecy of the ballot. Yet apparently without exception the Australian ballot laws of our states permit a voter to use a "sticker" or to write in the names of candidates when he is dissatisfied with the printed list. Thus by simply writing in for some minor office a name agreed upon—fictitious or otherwise—any voter can

¹⁵ House Bill No. 1728, Session of 1931, approved June 22, 1931.

¹⁶ Fallon, app., 197 N. Y. 336 (Jan. 25, 1910).

betray the identity of his ballot. With the aid of a confederate among the election officers a corruptionist on the outside may assure himself that purchased votes were cast as he wished.

The laws of the various states prescribe every detail of form and arrangement to be followed in printing official ballots. A study of the ballots used in the presidential elections of 1928 and 1932 shows that two main types prevailed throughout the country—the party-column type, and the Massachusetts, or office block, type. Besides these two principal forms there were numerous variations of detail, all of which may be classified according to the relative difficulty of voting a straight or a split ticket.¹⁷

Types of
ballots

In party-column ballots the offices to be voted for are arranged in the order of their rank—national offices first, state and local following—each party being given a separate column with its name prominently displayed at the top. Besides the name, fifteen states print party emblems at the top of the column—*e.g.*, for the Democrats a crowing rooster or a star; for the Republicans a soaring eagle or an elephant; for the Workers' (Communist) party the crossed sickle and hammer of Moscow; for the prohibitionists a flowing fountain or an illimitable ocean with the sun rising in the background.¹⁸ A single cross mark in a circle surrounding or under the name of the party or emblem votes for every candidate of that party. The voter desiring to split his ticket must make a cross mark for each office to be filled, picking his way horizontally across the ballot and taking care not to put down more than one cross mark for each office.¹⁹ Manifestly

Party-col-
umn bal-
lots: party
emblems

¹⁷ For a thorough discussion of the relative difficulty of voting various types of ballots see P. L. Allen, "Ballot Laws and Their Workings," *Pol. Sci. Quar.*, vol. xxi, pp. 38-58 (March, 1916).

¹⁸ Party-column ballots with emblems and circles for straight voting are used in Alabama, Delaware, Indiana, Kentucky, Louisiana, Michigan, Missouri, New Hampshire, New Mexico, New York (presidential-election ballot), Ohio, Oklahoma, Rhode Island, Utah, and West Virginia; without emblems but with circles for straight voting in Arizona, Connecticut, Georgia, Idaho, Illinois, Iowa, Maine, North Carolina, North Dakota, South Dakota, Vermont, Washington, and Wisconsin. Texas should be added to the latter group inasmuch as a voter in that state may vote straight simply by drawing a line through the columns of the parties other than the one he favors.

¹⁹ In some states, as at present in Pennsylvania, after marking a cross to indicate a straight ticket otherwise, the voter may split his ticket for any particular office by placing a cross mark opposite the name of a candidate of another party for that office.



Republican Ticket.



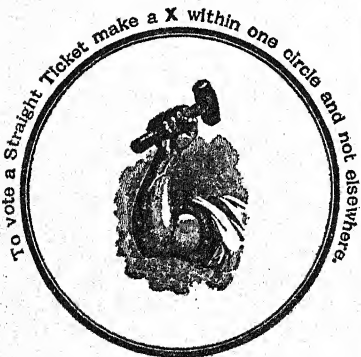
Democratic Ticket.



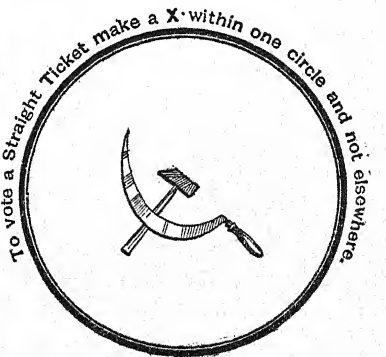
Prohibition Ticket.



Socialist Party Ticket.



Socialist Labor Ticket.



The Workers Party Ticket.

the difficulty involved in voting a party-column ballot is at a maximum for the elector who wishes to split his ticket and at a minimum for the elector who wishes to vote a straight ticket.

OFFICIAL BALLOT BOLETA OFICIAL

INSTRUCTIONS: Mark X in ☐ under party name, for whose candidates you wish to vote.

If you desire to vote for any candidate of any other party place X in ☐ at the right of the name of such candidate.

INSTRUCCIONES: Marque X en ☐ bajo el nombre de partido, por cuyos candidatos usted desee votar.

Si usted desea votar por cualquier candidato de cualquier otro partido ponga una X en ☐ a la derecha de tal candidato.

REPUBLICAN TICKET BOLETA REPUBLICANA



FOR UNITED STATES SENATOR FOR THE TERM OF SIX YEARS
PARA SENADOR DE LOS ESTADOS UNIDOS POR EL TERMINO DE SEIS AÑOS

HERBERT B. HOLT ☐

FOR REPRESENTATIVE TO THE SEVENTY-FIRST CONGRESS OF THE UNITED STATES
PARA REPRESENTANTE AL CONGRESO SEPTUAGESIMO PRIMERO DE LOS ESTADOS UNIDOS

ALBERT G. EDMS ☐

FOR JUSTICE OF THE SUPREME COURT FOR THE TERM OF EIGHT YEARS
PARA JUEZ DE LA CORTE SUPREMA POR EL TERMINO DE OCHO AÑOS

J. FRANK CURRIS ☐

HERBERT G. DENNY ☐

FOR GOVERNOR FOR THE TERM OF TWO YEARS
PARA GOBERNADOR POR EL TERMINO DE DOS AÑOS

CLARENCE M. BOTS ☐

DEMOCRATIC TICKET BOLETA DEMOCRATA



FOR UNITED STATES SENATOR FOR THE TERM OF SIX YEARS
PARA SENADOR DE LOS ESTADOS UNIDOS POR EL TERMINO DE SEIS AÑOS

SAM G. BRATTON ☐

FOR REPRESENTATIVE TO THE SEVENTY-FIRST CONGRESS OF THE UNITED STATES
PARA REPRESENTANTE AL CONGRESO SEPTUAGESIMO PRIMERO DE LOS ESTADOS UNIDOS

DENNIS CHAVEZ ☐

FOR JUSTICE OF THE SUPREME COURT FOR THE TERM OF EIGHT YEARS
PARA JUEZ DE LA CORTE SUPREMA POR EL TERMINO DE OCHO AÑOS

DANIEL K. SADLER ☐

A. H. HUDEFETH ☐

FOR GOVERNOR FOR THE TERM OF TWO YEARS
PARA GOBERNADOR POR EL TERMINO DE DOS AÑOS

ARTHUR SELIGMAN ☐

SOCIALIST PARTY PARTIDO SOCIALISTA



FOR UNITED STATES SENATOR FOR THE TERM OF SIX YEARS
PARA SENADOR DE LOS ESTADOS UNIDOS POR EL TERMINO DE SEIS AÑOS

E. E. COCHRAN ☐

FOR REPRESENTATIVE TO THE SEVENTY-FIRST CONGRESS OF THE UNITED STATES
PARA REPRESENTANTE AL CONGRESO SEPTUAGESIMO PRIMERO DE LOS ESTADOS UNIDOS

JNO. WHITLEY ☐

FOR JUSTICE OF THE SUPREME COURT FOR THE TERM OF EIGHT YEARS
PARA JUEZ DE LA CORTE SUPREMA POR EL TERMINO DE OCHO AÑOS

☐

☐

FOR GOVERNOR FOR THE TERM OF TWO YEARS
PARA GOBERNADOR POR EL TERMINO DE DOS AÑOS

SAM BUTLER ☐

PORTION OF BALLOT OF NEW MEXICO, 1930

And the use of party emblems enables the illiterate citizen to vote straight with the greatest ease. He does not have to know

enough to read the words "Republican" or "Democratic" at the top of the columns; all he has to know is the difference between an eagle and a rooster.²⁰

To vote for Electors of One Party, mark a Cross **X** in the Square at the right of the Party Name.

ELECTORS OF PRESIDENT AND VICE PRESIDENT. Vote ONCE

Vote for One Group ONLY

FOSTER and GITLOW ~~~~ Workers Party		SMITH and ROBINSON ~~~~ Democratic	
BY DISTRICTS	Herbert Riley of WORCESTER Robert Zalms of WORCESTER 1. William Jenkinson of CAMBRIDGE 2. John Louisa of WORCESTER 3. Henry Gage of WORCESTER 4. George Kraska of WORCESTER 5. Emma P. Hutchins of WORCESTER 6. Joseph Glensberg of WORCESTER 7. Sheldon Belinfante of CHELSEA	BY DISTRICTS	8. Adolph Sullivan of WORCESTER 9. Joseph Goldburg of LYNN 10. Lewis Marks of WORCESTER 11. John Horwitz of WORCESTER 12. Elsie Putter of WORCESTER 13. Alexander Taraska of LOWELL 14. Nathan G. Key of WORCESTER 15. Stephen Pelen of WORCESTER 16. Boris Kield of WORCESTER
HOOVER and CURTIS ~~~~ Republican		THOMAS and MAURER ~~~~ Socialist	
BY DISTRICTS	1. Daniel England of PITTSFIELD 2. Ray Standard Baker of ANDOVER 3. Marcus A. Collinge of WORCESTER 4. Thomas J. Barrett of WORCESTER 5. Humphrey O'Sullivan of LOWELL 6. Lawrence P. Dodge of ANDOVERPORT 7. Agnes F. Higgins of LAWRENCE	BY DISTRICTS	8. Josiah Woodrow Sappin of CAMBRIDGE 9. Melvin B. Breath of CHELSEA 10. Felix Marcellus of WORCESTER 11. James M. Curley of WORCESTER 12. William J. Foley of WORCESTER 13. Sirabo V. Claggett of WORCESTER 14. Frank J. Donahoe of WORCESTER 15. Edmund P. Talbot of FALL RIVER 16. James P. Doran of NEW BEDFORD
BY DISTRICTS	1. Vincent G. Burns of PITTSFIELD 2. Nelson J. West of PITTSFIELD 3. John Scammon of PITTSFIELD 4. Thomas J. Conroy of WORCESTER 5. William E. Spradley of LOWELL 6. Leonard Spalding of NEWBURYPORT 7. Thomas J. Nicholson of LAWRENCE	BY DISTRICTS	8. Charlotte B. Halliwell of WORCESTER 9. George E. Rowley of CAMBRIDGE 10. Nathan Guralnick of WORCESTER 11. Lucy Lee of WORCESTER 12. Joseph Boraski of WORCESTER 13. Patrick J. Leonard of WORCESTER 14. Franklin C. Gifford of WORCESTER 15. Hugh Dunbar of NORTH ATTLEBOROUGH 16. Walter Barlow of NEW BEDFORD

PORTION OF BALLOT OF MASSACHUSETTS, 1928

Types of
ballots

In the pages immediately above are presented portions of the ballots (1) of New Mexico, illustrating the party-column

²⁰ As a picturesque detail in this connection it may be noted that a few states prohibit the use as emblems on ballots of the national flag, the arms or seal of the state or of the United States. Cf. *Primary and General Election Laws of Oklahoma*, rev. 1929, p. 70; *Registration and Election Laws of Delaware*, rev. 1927, sec. 1722. Despite the manifest impropriety of such devices the Republicans of New Mexico use the national flag and the Democrats of the same state the national coat of arms as their respective ballot emblems, so that honors—or rather dishonors—are even between them. Another picturesque detail—in 1913 a "Birdless Ballot League" was founded in Cincinnati with the purpose of abolishing ornithological emblems on ballots.

First Column

To Vote a Straight Party Ticket,
Mark a Cross (X) in this Column

REPUBLICAN	
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DEMOCRATIC	
-------------------	--

COMMUNIST	
------------------	--

LIBERAL	
----------------	--

PROHIBITION	
--------------------	--

SOCIALIST	
------------------	--

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UNITED STATES SENATOR (Vote for One)	
James J. Davis,	Republican
Sidgwick Klutznick,	Democratic
Samuel P. Ough,	Communist
H. W. Brown,	Prohibition
William A. Van Zandt,	Socialist

JUDGE OF THE SUPREME COURT (Vote for One)	
George W. Maxey,	Republican
Henry G. Viles,	Democratic
Charlotte P. Zouss,	Communist
Charles Palmer,	Prohibition
John W. Mayton,	Socialist

GOVERNOR (Vote for One)	
Gifford Pinchot,	Republican
	Prohibition
John M. Hengstlin,	Democratic
	Liberal
Frank Moore,	Communist
James H. Weaver,	Socialist

JUDGE OF THE SUPERIOR COURT (Vote for Two)	
William B. Linn,	Republican
James B. Brown,	Republican
Aaron M. Becker,	Democratic
George F. Douglas,	Democratic
Peter Kuchin,	Communist
Max Silver,	Communist
Max G. Kuch,	Prohibition

LIEUTENANT GOVERNOR (Vote for One)	
Edward G. Shannon,	Republican
Guy E. Bard,	Democratic
Samuel Lee,	Communist
Michael D. Fenech,	Prohibition
Mary Wheeler,	Socialist

SECRETARY OF INTERNAL AFFAIRS (Vote for One)	
Philip H. Derry,	Republican
Mary B. Winston,	Democratic
Frank Kote,	Communist
Fred W. Litten,	Prohibition
David Blum,	Socialist

PORTRAIT OF BALLOT OF PENNSYLVANIA, 1930

type; (2) of Massachusetts, illustrating the office-block type; (3) of Pennsylvania, which is a hybrid between the office-block and party-column type, so arranged, however, as to favor straight ticket voting; and below (4) of New York (state and local elections), which adds to the office-block type miniature party emblems for the guidance of voters.

Office-
block, or
Massachu-
setts
ballot

The office-block type of ballot, first used in Massachusetts and since copied by several states, groups the candidates for each office in a block, the name of each candidate being followed by the name of his party.²¹ To vote this ticket fully a cross mark must be placed opposite the name of a candidate for each office to be filled. Therefore it requires just as many cross marks and just as much discrimination in placing them to vote this form of ticket straight as to split it.

Intermedi-
ate forms

Some forms intermediate to the two principal types may be mentioned. Montana, New Jersey, and Wyoming arrange candidates' names in party columns, but as no provision is made for voting straight by a single cross mark these ballots approximate the Massachusetts type in effect. Exactly the opposite is true of the ballots of Nebraska and Pennsylvania, which arrange the offices in blocks and then provide circles or squares at the side for voting a straight ticket by a single cross mark. But the most curious combination of all is found in the New York ballot for state and local offices which uses the Massachusetts or office-block form, adding to the name and party of each candidate the symbol in miniature of each party he represents.

The directions for voting the New York state ballot are as follows:

1. Mark only with a pencil having black lead.
2. To vote for a candidate whose name is printed on this

²¹ Besides Massachusetts, the following states use this type of ballot: Arkansas, California, Colorado, Kansas, Maryland, Minnesota, Nevada, Oregon, and Tennessee. In spite of the miniature emblems appearing on the New York state and local ballot, it belongs properly in this group. North Carolina approximates the Massachusetts type since its law provides that instead of one long blanket ballot seven separate slips may be provided, as follows: official ballot for presidential electors, for United States Senator, for members of Congress, for state officers, for county officers, for township officers, and for constitutional amendments or other propositions submitted to vote. However these may be combined at the discretion of the State Board of Elections or the County Board of Elections. See *North Carolina Election Law, rev. 1929*, art. 11a, sec. 9.

ballot make a single cross X mark in one of the squares to the right of an emblem opposite his name.

3. To vote for a person whose name is not printed on this ballot write his name on a blank line under the names of the candidates for that office.

4. Any other mark than the cross X mark used for the purpose of voting or any erasure on this ballot is unlawful.

5. If you tear, or deface, or wrongly mark this ballot, return it and obtain another.

Florida and Mississippi have the distinction of using in general elections an absolutely non-partisan ballot—that is, a ballot that designates neither by printed word nor by symbol the party affiliation of any candidate or group of candidates. Thus under the caption “For Presidential Electors: Vote for Ten,” the Mississippi ballot of 1928 presents three groups of ten names each, not alphabetized, followed by two names standing alone. Although there is nothing to show it the presumption is that the first of these groups is Democratic, the second, Republican, and so on, hence no great degree of intelligence would be necessary to vote a straight ticket. But the arrangement of the Florida ballot is more of a poser. It lists the names of thirty presidential electors without any groups marked off by spacing, under the heading “Vote for Six.” Upon inspection, however, the first six names are seen to be alphabetized and so on with each group of six to the end of the list, so that discriminating Democrats, literate Republicans, and other partisans of sufficient intelligence to count to thirty should know where to put their cross marks. There are critics unkind enough to say that the non-partisan ballots used in Mississippi and Florida were devised not because of any passionate love for the principle of non-partisanship itself, but rather because of the obvious difficulties such ballots would present to the illiterate Negro voter.

Dubious
non-parti-
san ballots

In a number of other states ballots of this type are used to fill offices in which partisanship is thought to be undesirable, *e.g.*, judicial, school, and various local offices, particularly in cities with commission or commission-manager types of government.²² As a rule the number of such offices is limited, nevertheless in one instance at least, that of the Nebraska election of 1920, the

Genuine
non-parti-
san ballots

²² California, Minnesota, Nebraska, Nevada, North Dakota, Ohio, Pennsylvania, Washington, Wisconsin, and Wyoming use non-partisan ballots.

Vote for one!		GOVERNOR	1
		FRANKLIN D. ROOSEVELT.....	Democratic
		CHARLES H. TUTTLE.....	Republican
		LOUIS WALDMAN.....	Socialist
		JEREMIAH D. CROWLEY.....	Social Labor
		WILLIAM Z. FOSTER.....	Communist
		ROBERT P. CARROLL.....	Law Preservation

Vote for one!		STATE COMPTROLLER	3
		MORRIS S. FREEMAN.....	Democratic
		DANIEL H. CONWAY.....	Republican
		WILLIAM H. HILSDORF.....	Socialist
		JOHN E. DE LEE.....	Social Labor
		FRANKLIN P. BRILL.....	Communist

Vote for one!		LIEUTENANT GOVERNOR	2
		HERBERT H. LEHMAN.....	Democratic
		CALEB H. BAUMES.....	Republican
		ELIZABETH C. ROTH.....	Socialist
		CHARLES CARLSON.....	Social Labor
		J. LOUIS ENGDAHL.....	Communist

Vote for one!		ATTORNEY GENERAL	4
		JOHN J. BENNETT, JR.....	Democratic
		ISADORE BOOKSTEIN.....	Republican
		WILLIAM KARLIN.....	Socialist
		AUGUST GILHAUS.....	Social Labor
		RICHARD B. MOORE.....	Communist

non-partisan ballot was larger than the partisan ballot. In order further to reduce the element of partisanship separate elections are sometimes held to fill non-partisan offices. Thus voters may be called to the polls to choose school or municipal officials in April or May when, presumably, they are most free from the political passions of November, or, as in Pennsylvania, state and national candidates are voted on in even numbered years, candidates for county, borough and township offices in odd numbered years. In states where non-partisan offices are to be filled at a general election the ballot carrying them may be printed on a small separate sheet as in Wisconsin and Wyoming, or it may be given a place on the regular ballot, at the top as in Arizona or at the bottom as in Minnesota and Washington. The Arizona plan has the merit of compelling attention; on the other hand under the plan used in Minnesota and Washington large numbers of voters pay no more attention to the non-partisan offices than to initiative and referendum measures which are relegated to the same place on the ballot. Of course the non-partisan ballot makes a somewhat heavier demand upon the intelligence of the electors than a ballot of the party-column or even of the Massachusetts type. If the non-partisan ballot is of any considerable length the voter can mark it "straight" only by taking with him to the polls a list of his party's candidates. In this connection it is worth noticing that the Australian ballot as it is used in that country and in England is a non-partisan ballot, simple and short. The circles, squares, and columns, the blanket size, and other devices which make independent voting difficult in so many of our states are purely American excrescences upon the original system.

Because they make straight voting easy, party-column ballots are naturally favored by organization politicians. The voting of a ballot of the Massachusetts type amounts to an educational test in itself, and the same is true to an even greater extent of a non-partisan ballot. In elections where both party-column and non-partisan ballots are used a considerable number of the more ignorant voters do not even attempt to mark ballots of the latter type. Organization workers sometimes hold schools of instruction to teach illiterates how to vote the more difficult forms of ballots, but the success attending such educational efforts is only moderate. Nor have the happiest results followed from attempts to de-

Party-column ballots favored by organization politicians

vise a voting pattern. This consists of a sheet of paper of exactly the same size as the official ballot, perforated at the right places for making the desired cross marks. However the citizen who is stupid enough to need a voting pattern is quite likely to get it out of adjustment or upside down, producing a result which drives the polling clerks to despair. Despite its overwhelming strength the Pennsylvania Organization was so impressed by these difficulties that in 1921 it caused the removal of judicial offices from the non-partisan to the regular ballot.²³ Practical politicians also object to non-partisan ballots on the ground that they tend to destroy party solidarity and party responsibility, both fine phrases it must be admitted and not without significance in certain contexts, but too often meaning simply machine control.

Massachu-
setts and
non-parti-
san ballots
favored
by inde-
pendents

Naturally, also, independents and reformers prefer ballots of the Massachusetts and non-partisan types. Those who believe that the suffrage is too widely extended look with favor on forms of ballots which allow illiterate and ignorant voters to go through all the motions of voting without getting anywhere, although, of course, such an attitude is Machiavellian rather than democratic. On the other hand, it is no doubt true, as Holcombe points out, that most voters know comparatively little about the merits of individual candidates.²⁴ What they really want to do with their votes is to express their general approval of one or another party by voting its ticket straight. Since voters of this type predominate as compared with discriminating voters, motives of convenience urge that they be allowed to do so by marking a single cross in the party square.

Growth of
independ-
ent
voting

More important, however, than any consideration of expediency is the fact that the Massachusetts and non-partisan ballots place a premium on independent voting. As late as the 'eighties of the last century this was regarded as a form of party treason, but the habit has been growing rapidly. The percentages of voters making opposite decisions on national and state candidates—*i.e.*, preferring a President nominated by one party and a governor by another—were as follows: in 1896, .38 per cent; 1900, 1.22 per cent; and in 1904, 7.57 per cent. In the latter year ten states showed discrimination on the same basis in excess of 10

²³ Pennsylvania L. 1921, no. 198.

²⁴ *State Government in the United States*, rev. ed., p. 215.

per cent.²⁵ It is to be regretted that studies have not been made showing the subsequent development of this factor; as a matter of common knowledge, however, the habit of voting a straight ticket is by no means so prevalent as formerly. In 1928, for example, Smith lost the state of New York to Hoover by slightly more than one hundred thousand while at the same time Franklin D. Roosevelt, the Democratic candidate for the governorship, carried it by a margin of twenty-five thousand. Similarly in 1932 New Jersey elected a Republican to the United States Senate by a small margin although the electoral vote of the state went to the Democratic candidate for the Presidency by more than forty thousand. Both results were secured in the face of a landslide of tremendous proportions so far as the national tickets were concerned. Now the results of independent voting are so beneficial not only upon parties, but upon the conduct of public affairs generally, that those forms of the ballot which encourage it have a strong argument in their favor.

It is the usual American practice, as shown by a study of the ballots used in 1928 and 1932, to print the names of all offices and candidates, together with initiated and referred measures, on a single large sheet, hence the familiar "blanket" ballot. However, several states use two or more sheets, one for national, the other for state and local offices; or one for partisan, the other for non-partisan candidates.²⁶ Ten states print constitutional amendments and other initiated and referred measures on a separate sheet. Separate ballots make the practice of straight voting slightly more difficult, and, in the case of initiated and referred measures, have the further advantage of calling the voter's attention to the existence of such measures.

"Blanket"
and separate bal-
lots

The only two offices which are voted for simultaneously throughout the United States are, of course, the Presidency and Vice-Presidency, yet it would be difficult to find any greater variety of ballot arrangement than prevails regarding them. Originally the general practice under the party-column plan was to present the names of the two candidates at the top followed by the list of presidential electors who might either be voted

Presiden-
tial elec-
tors on the
ballot

²⁵ P. O. Ray, *Introduction to Political Parties and Practical Politics*, p. 335.

²⁶ New York, for example, has separate ballots, one for presidential electors, the other for state and local offices; Nebraska, North Dakota, and Wyoming, separate ballots for partisan and non-partisan offices.

for straight or, since there was a square to the right or left of each elector's name, the ticket might be split just as in the case of other candidates.²⁷ Now however meritorious it may be in the case of other offices, it is a manifest absurdity to divide one's vote for such political "rubber-stamps" as presidential electors. Nevertheless the thing was done on a sufficient scale to make the counting of ballots exceedingly tedious and in rare instances even to divide the electoral vote of a very close state.²⁸ To obviate the absurdity and inconvenience of splitting the list of presidential electors the Massachusetts ballot of 1928 grouped the names of the electors nominated by each party under the name of that party with a single square above which appeared the printed instruction: "Vote ONCE, Vote for One Group ONLY." This practice was followed also in the same election by Minnesota, New Hampshire, Oklahoma, Oregon, Rhode Island, and Wyoming.²⁹ In 1932 Illinois, Iowa, Massachusetts, Michigan, Nebraska, Ohio, Pennsylvania, and Wisconsin went a step beyond the states named above. Their ballots omitted the presidential electors entirely, printing only the names of the presidential and vice-presidential candidates with a single square opposite them. Since Illinois has twenty-nine electoral votes a considerable amount of space is saved by this device. Incidentally the electors of that state and of the other seven states following its example can scarcely be blamed for assuming that they vote directly for President and Vice-President,³⁰ although what happens is, of

²⁷ This was still the case as late as 1928 in many states, among them Delaware, Georgia, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Missouri, Nevada, New Hampshire, New York, Oklahoma, Oregon, Pennsylvania, Vermont, and West Virginia.

²⁸ Apparently what happened was that voters of both parties who did not vote straight got tired marking crosses before the names of presidential electors, with the result that a few of the tail-enders of the majority ticket were defeated by the headliners of the minority ticket. Only two cases of the division of the electoral vote of a state have occurred in the last forty-five years, both in California, where in 1896 the Republican candidates received 8 votes and the Democratic candidates one vote; and in 1912, when the Progressive candidates received 11 votes and the Democratic candidates 2 votes.

²⁹ Cf. L. E. Aylesworth, "The Presidential Short Ballot" in *Am. Pol. Sci. Rev.*, vol. xxiv, pp. 966-970 (Nov. 1930). As to the constitutionality of the device the decision in *McPherson v. Blacker* (1892), 146 U. S. 34-35, would seem sufficient.

³⁰ The ballots of a few other states must make the same impression upon the mind of the average voter, e.g., Maryland, New Jersey, and Oregon. In the case of the last named the ballot for 1928 printed the names of the presidential

course, that the votes apparently cast for these offices are credited to the electors of the parties indicated. At the other end of the scale from Illinois several states are so careful of constitutional proprieties that they omit altogether the names of presidential and vice-presidential candidates, printing only the names of the electors.³¹

In ten states, therefore, the form of the ballot makes it impossible to vote otherwise than straight for presidential electors. Without going so far as to compel straight voting New York encourages it by using the party-column form in presidential elections, whereas the office-block form is used for state and local offices. Moreover assuming that such discrimination had any significance, even the most independent of Empire State citizens must have been daunted in 1928 by the difficulty of the choice of forty-five out of 214 names of presidential electors,³² the overwhelming majority of whom were utterly unknown to him. New Jersey and Pennsylvania also favor straight voting of presidential electors by providing a special square in which a single X mark accomplishes this end. The general trend in ballot arrangement therefore is away from the old system permitting individual choice toward the encouragement, and finally the compulsion, of straight voting for presidential electors. Incidentally a considerable shortening of the ballot is thereby accomplished, particularly in the larger states. For example, if Pennsylvania had adopted the Illinois plan earlier it could have saved 130 square inches of space on its enormous ballot for 1928.

If the proposed Norris Amendment to the Constitution of the United States (S. J. Res. 29, 73d Cong., 1st Session, March 13,

Straight
vote on
presidential
electors

and vice-presidential candidates followed by the names of electors, with the instruction: "To vote for President and Vice-President, the voter shall mark one X between the number and the bracketed names of his choice for President and Vice-President." To be sure this is followed by the sentence: "Each ballot so marked shall be counted as one vote for each of the five candidates for presidential electors to support the voter's choice for President and Vice-President"; nevertheless the impression left upon the voter's mind is rather that of having voted for presidential and vice-presidential candidates than for electors merely.

Norris
Amendment
abolishing
presidential
electors

³¹ As in the 1928 ballots of Arizona, Arkansas, Florida, Indiana, Mississippi, New Mexico, Texas, and Washington.

³² The New York presidential ballot of 1928 contained four complete lists of 45 electors each named by the Democratic, Republican, Socialist, and Social Labor parties, and one incomplete list of 34 named by the Workers (Communist) party.

1933) is adopted, the names of presidential electors will disappear from the ballots of all the states; indeed there will no longer be any need for presidential electors. On the other hand the electoral vote of each state will remain, computed however upon a new proportional basis. The essential provisions of the Norris Amendment are as follows: "Each State shall be entitled to as many votes for President and Vice-President as the whole number of Senators and Representatives to which the State is entitled in Congress. . . . The electors in each State shall vote directly for President and Vice President. . . . The vote cast in any State for any candidate for President shall be disregarded if such votes are less than 1 per centum of the total votes cast in such State for President. Each person for whom votes were cast for President in each State shall be credited with such proportion and fraction thereof of the presidential votes of such States as he received of the total votes cast at said election for President, using for such fraction three decimals. The person having the greatest number of presidential votes for President shall be President."

Position
on the
ballot

It is a curious fact that a certain small percentage of voters will mark the first column of a ballot or the first name in a list of candidates, regardless of any other consideration.³³ Under the party-column ballot plan advantage of position from left to right is usually assigned to the parties in the order of the vote cast by each at the preceding state election. Under the office-block plan names of candidates may be placed according to the strength of parties nominating them, or in alphabetical order, or as determined by the drawing of lots. Startling results sometimes follow the application of the two methods last named. In Massachusetts, for example, where groups of electors are arranged in the alphabetical order of the surnames of presidential candidates, the Workers (Communist) party was given the best place on the ballot of 1928, its presidential electors being listed above the Republican and to the right of the Democratic block. Occasionally also local party leaders are reported to look with favor upon aspirants for political office with surnames such as Aab or Aaronson and to discourage others handicapped from birth by such cognomens as Zwyssler or Zysk. An ingenious device for equaliz-

³³ For a quantitative study of the strength of this factor see the author's "Voters' Vagaries," *Nat. Mun. Rev.*, vol. x, pp. 161-165 (March, 1921).

ing advantage of position among candidates is known as the rotating ballot. Under this plan candidates' names are arranged alphabetically, but ballots are so printed and bound that each candidate heads the list in the ballots—as they are given out—the same number of times as any of his competitors.³⁴ While simple enough for ballots involving one or a few offices only, this device could be applied only with great difficulty to large ballots used in general elections.

At times the suggestion is made that more intelligent voting might result from the use of a "who's who" ballot giving, in addition to the candidate's name, party, and office sought, as is customary at present, such further personal information as, for example, his residence, age, occupation, education (common school, high school, college, or university), and public offices previously held.³⁵ Of course this information and more is given in occasional pamphlets prepared by good-government leagues, and, in one or two states, by publicity pamphlets, but these are issued some time before elections. Such information as may be placed on a ballot reaches every voter who cares to read it at the moment of voting. With the long ballots in use, however, few would take the trouble to do so in all probability. If they did, longer voting hours and more polling places would be necessary. Candidates would probably object to the printing of certain facts about themselves. Thus the somewhat indefinite distinction implied by the label "college graduate" would do more harm than good in many precincts. Age might be misstated in the case of those too youthful or too advanced in years. On the other hand it is worth noting that even such extremely short ballots as are used in English elections state the addresses, occupations, civil and military offices held, and public distinctions conferred upon candidates. In the United States the ballots used for the November, 1928, election in nine states gave the town or city address of candidates.³⁶

"Who's
who"
ballot

³⁴ Thus if Andrews, Johnson, Smith and Williams are candidates, the first ballot to be detached may present their names in that order; the second will then read, Johnson, Smith, Williams, and Andrews; and so on. For a legal formulation of this plan see Minnesota, L. 1915, chap. 167, secs. 334, 342; Wisconsin, L. 1917, chap. 466.

³⁵ P. O. Ray, *op. cit.*, p. 346, gives a draft form of a "who's who" ballot.

³⁶ Illinois, Louisiana, Maine, Maryland, Massachusetts, New Hampshire, Oregon, and West Virginia. Of these the Rhode Island ballot gives the street address also.

Issues
on
ballots

In a few northwestern states candidates are permitted to state within brief limits the principal planks or issues on which they stand. Some idea of the way in which this privilege is used may be gained from the following statements made by senatorial and gubernatorial candidates on the Oregon ballot of November 4, 1930: "Restore Constitutional Rights"; "Liberty and Justice"; "For the People." The primary election laws of some states also require or permit candidates to make a brief statement of their principles on the ballot.³⁷ Since such candidates are not standing on a regularly adopted platform of any sort the idea is not without merit. Nevertheless, in practice it sheds comparatively little light on the situation. Thus in New Jersey all candidates on the Democratic primary ballot of May 15, 1928, wrote themselves down simply as "Regular Democrats." The Republicans did somewhat better, for in addition to noting their regular party character the various candidates for the gubernatorial and for the United States senatorial nominations added such descriptive tags as the following: "Open Primary, Law Enforcement, Lower Taxes"; "Against Commercialized Politics"; "Civic and Party Laborer"; "Against Prohibition"; "Opposed to Political Expediency"; "Party Government for the People"; "For Coolidge Policies."

VOTING MACHINES

Voting
machine
laws

Beginning with New York in 1892 the use of voting machines has now been authorized by law in thirty states.³⁸ However, five states have repealed their statutes on the subject.³⁹ In most cases

³⁷ See S. Dakota L. 1917, ch. 234; *Montana Election Laws, rev. 1925*, sec. 682; *New Jersey Act to Regulate Elections, rev. 1930*, art. xxii, sec. 25.

³⁸ States which have passed laws permitting the use of voting machines with date of original enactment and also of subsequent amendment, if any, are as follows: New York, 1892, '97; Massachusetts, 1893, 1912; Michigan, 1893; Connecticut, 1895; Indiana, 1899, 1901; Minnesota, 1899, 1905; Nebraska, 1899, 1905; Ohio, 1899, declared unconstitutional but new act passed, 1929; Rhode Island, 1900, '06; Kansas, 1901, '17; Maine, 1901, '24; Wisconsin, 1901; Montana, 1901, '07; New Jersey, 1902; California, 1903; Illinois, 1903; Iowa, 1904, '06; Utah, 1905, '07; Colorado, 1908, '15; Oregon, 1903, '19; Washington, 1913; Maryland, 1914; Virginia, 1922; Arizona, 1927; Arkansas, 1927; Pennsylvania, 1929; Florida, 1929; Texas, 1930. Local legislation passed in 1927 and in 1929 permits their use in Oklahoma City, Oklahoma, and in Richmond County, Georgia, respectively. Illinois, Kansas, Minnesota and Montana are not listed as using voting machines although each of them has a law on the subject.

³⁹ Voting machine laws were repealed in the following states: New Jersey, 1911; Utah, 1917; Colorado, Nebraska, and Rhode Island, 1921.

the laws are optional, merely authorizing counties or cities to adopt, usually by referendum vote, types of machines which comply with certain specifications, or which are approved by some central authority, *e.g.*, the Secretary of State or a special commission appointed for the purpose. However, three states—Indiana, Montana, and New York—have passed laws containing mandatory provisions. In New York, for example, the use of the machines was made compulsory under certain conditions by the three cities of the first class—New York, Buffalo, and Rochester.

In general, voting machines proved decidedly popular with the electorate and the number used throughout the country increased by leaps and bounds at least until the advent of the depression. A great victory was gained by their advocates in 1926 when the Appellate Division of the Supreme Court of New York upheld the Secretary of State of that commonwealth who, acting under the compulsory provisions of the law, had contracted for the purchase of 3000 machines for use in New York City. As usual in such circumstances Tammany fought the innovation strenuously at every step. Second only to the victory in New York is the success recently achieved in Pennsylvania, also against every influence Republican machine politicians could bring to bear. Nevertheless, in 1928 the people of the Keystone State adopted a constitutional amendment by a vote of more than two to one,⁴⁰ which provided that the legislature shall permit by general law "the use of voting machines, or other mechanical devices for registering or recording and computing the vote, at all elections or primaries, in any county, city, borough or township of the Commonwealth, at the option of the electors of such county, city, borough or township." It was too clear and decisive a mandate to be resisted and, in spite of some political manoeuvring, the legislature passed an act complying with the amendment in the course of the following year. Subsequently the opposition of ring politicians to voting machines has been transformed into approval, partly because large profits can be gained from contracts for the storage of the machines between elections; partly, it is alleged, because they have learned how to manipulate the ma-

Popular-
ity of vot-
ing ma-
chines

⁴⁰ The exact figures were 745,711 for to 348,328 against the amendment which now forms part of Article 8, Section 7 of the Constitution. See *The Pennsylvania Manual*, 1929, pp. 944, 958.

chines so as to discover or to frustrate the purpose of the voter. They can discover his intention by thrusting "assistance" upon him on the plea that he does not know how to set the levers, or, failing in that ingenious plea, may push the curtain aside while he is within. One writer even asserts that "by using a nail an expert election worker can fix the voting machines so that they will or will not register certain names. By tying a rope to the top of the booth, he can prevent the votes from being registered."⁴¹

Extent
of use
of voting
machines

At the present time voting machines are in use in more than two thousand cities, towns and villages throughout the country.⁴² In two states, New York and Connecticut, this method of voting preponderates over the ballot. Indeed now that New York City uses the machine exclusively it is probable that not more than 10 per cent of the vote of the state is taken by ballot. Many cities and boroughs in Indiana, Iowa, Washington, and more recently in Pennsylvania, have adopted the new device. Among larger cities in addition to the metropolis which now use the machine to a greater or less extent are the following: Hartford and New Haven, Conn.; Buffalo, Rochester, and Syracuse, N. Y.; Philadelphia, Scranton, and Wilkes-Barre, Pa.; Baltimore, Md.; Indianapolis, Ind.; Grand Rapids, Mich.; Des Moines, Iowa; Seattle and Tacoma, Wash.; Los Angeles and San Francisco, Cal. Some measure of the extent of the use of voting machines throughout the country is afforded by an estimate supplied by the principal manufacturing company in this field to the effect that twelve million votes cast in the presidential election of 1928 were recorded through more than 15,000 machines of its make, the total popular vote of that year being close to thirty-seven millions.

Make-up
of voting
machines

Credit for the invention of the voting machine cannot be assigned to any one man, although Thomas A. Edison devised a crude model as early as 1869 which, however, was never given a try-out in an actual election. The face of the machines now being used reproduces the ordinary printed ballot, but instead of making cross marks the voter pulls down pointers over the names of the tickets, candidates, or measures that he favors.

⁴¹ E. H. Lavine, "*Gimme*," or *How Politicians Get Rich*, p. 68.

⁴² For the complete list see pamphlet which is furnished on application by the Automatic Voting Machine Corporation, Jamestown, N. Y.

While doing this he is screened from view by a curtain. Before he swings it back to release himself the pointers spring into place again, thus preserving the secrecy of his vote. As the vote is cast it is automatically recorded on counters at the rear of the machine, and the result may be ascertained instantly at the close of the day's polling by unlocking the counter compartment. One minor technical defect may be noted. The machines can, of course, take care of a limited number of parties only. For example, those in use in Philadelphia provide space for nine, which, in all conscience, would seem sufficient. However certain patriots of the City of Brotherly Love banded themselves together in 1930, circulated petitions and preempted names, as a result of which fifteen parties, half a dozen of which had never been heard of before, entered the field. By what occult means the patriots were induced to withdraw it is impossible to say: in any event on election day nine tickets only appeared on the face of the machines.

Voting machines offer many advantages, chief among which are the speed and accuracy with which votes may be taken and counted. Indeed, there is reason to believe that the refusal to employ them in certain boss-ridden cities is due to the rooted objection therein prevailing to quick and honest returns. Besides these major advantages other points may be urged in favor of the machines. They offer a degree of secrecy that paper ballots, no matter how safeguarded, can never give. By ingenious interlocking devices it is made impossible for a voter to cast a defective ballot. On the other hand, the objection is made to certain types of voting machines that they "provide a party column, and this fact, plus the timidity of many voters when faced with a piece of machinery with which they are not familiar, will encourage 'straight-ticket voting.'"⁴³ However, this may easily be remedied by adopting the Massachusetts form both for ballots and for machines. Of course the initial expense of voting machines is considerable, being at present about \$1200 per machine, but once installed they permit economies in several directions. Fewer election districts are needed and fewer election officers in each district. Voting booths, ballot boxes, and other paraphernalia are unnecessary, and the cost of printing and distributing large masses of ballots is saved. One of the strongest points in

Advantages of
voting
machines

⁴³ R. S. Boots, "A Model Election System," *Nat. Mun. Rev.*, vol. x, p. 605 (Dec., 1921).

their favor is that they put an end to expensive and harassing recounts and contests.

PARTICIPATION IN ELECTIONS

Vote
slackers?

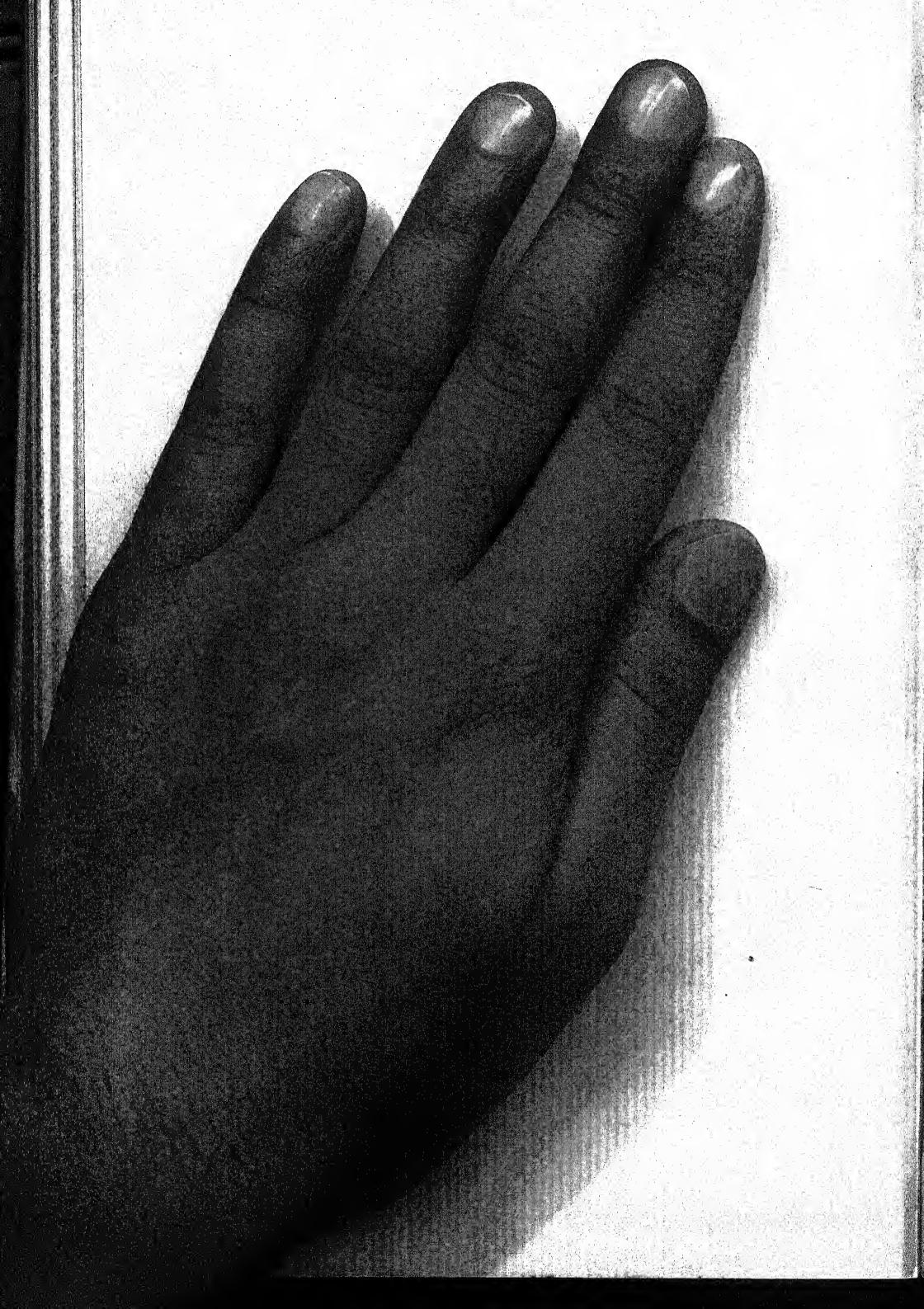
Having completed the discussion of suffrage qualifications, one is faced with the question, to what extent do qualified voters actually go to the polls? The question is easier to formulate than to answer. In the first place it will not suffice merely to ascertain the total population of the United States of both sexes twenty-one years of age and over, assuming that all of these who do not vote are "slackers." Deductions must be made for aliens, for large numbers of Negroes legally disqualified in the South, for persons excluded because of educational, residence, or poll-tax requirements, for the prison population, and also for the insane, feeble-minded, and pauper inmates of institutions (although even these are permitted to vote in certain sections).⁴⁴ In areas where personal registration is necessary many citizens are disqualified chiefly although not wholly by their own negligence. Even of those duly registered some are unable to come to the polls because of absence, illness, accidents or old age.

"Get Out
the Vote"

When all deductions have been made, however, it is true, nevertheless, that disquietingly low voting levels were touched in certain recent elections. Figures based on careful estimates of the total number of qualified voters show a participation in presidential elections from 1856 to 1888 of 80 per cent and even slightly better; falling to 76.4 in 1900; 68.9 in 1908; 65.1 in 1916; and finally to 52.4 in 1920.⁴⁵ It is not to be wondered at that the figure for the last-named year—often incorrectly interpreted as meaning that only one in every two voters went to the polls—provoked much mournful oratory and many impassioned editorials on the general theme "Get Out the Vote." As usual also on such provocation large numbers of citizens rushed into print to deplore the downfall of democracy. In point of fact, however, circumstances surrounding the presidential election of 1920 were quite unusual. It must be remembered that women were enfranchised throughout by far the greater part of the

⁴⁴ For an admirable detailed analysis of these factors as they applied in presidential elections down to 1888 see A. B. Hart, "The Exercise of the Suffrage," *Pol. Sci. Quar.*, vol. vii, pp. 307-329 (June, 1892).

⁴⁵ A. E. Schlesinger and E. McK. Eriksson, "The Vanishing Voter," *New Republic*, vol. xl, pp. 162-167 (Oct. 15, 1924).



country less than ten weeks before election day in that year. While everything possible was done in most cases to facilitate their registration, it was out of the question to expect anything like a full vote from them. In two states, Georgia and Mississippi, which require registration six and four months prior to election, respectively, women were barred from voting in 1920. Mrs. Carrie Chapman Catt estimated that in the country as a whole three women voted to every five men. In Illinois, where the votes of men and women were kept separate, the number of women voting for the presidential candidates was 61.1 per cent that of the men.⁴⁶ According to the best possible estimates, over six million possible women's votes were lost in 1920. This factor alone accounts in large part for the smaller relative participation of 1920 as compared with earlier presidential years.

In the presidential election of 1924 participation increased slightly, although this result was probably due much more largely to the third-party movement under LaFollette than to the admonitions of "get-out-the-vote" orators.⁴⁷ Four years later, stimulated no doubt by the injection of the religious and prohibition issues, the turnout at the polls took a sudden leap to 67.5 per cent of the total eligible vote.⁴⁸ On the same basis for 1932 the participation was 68.6 per cent.⁴⁹ In other words while American voters do not go to the polls in such large relative numbers as they did prior to 1900; nevertheless a remarkable improvement in this respect has been registered since 1924.⁵⁰ Of course objection may be made to the estimated basis used in computing

Participa-
tion in
1924, 1928,
1932

⁴⁶ *World Almanac*, 1922, pp. 460, 691.

⁴⁷ Professor A. N. Holcombe, *State Government in the United States*, 1926 ed., p. 148, estimated participation in 1924 at 50.1 per cent as compared with 49.1 per cent four years earlier.

⁴⁸ R. V. Peel and T. C. Donnelly, *The 1928 Campaign*, p. ix, estimate the population for that year at 119,460,534 and the total number of eligible voters at 54,620,000. The vote cast for presidential electors was 36,860,533 or 67.5 per cent. In Professor C. E. Merriam's chapter on "Government and Society," in *Recent Social Trends*, vol. ii, ch. xxix, p. 1507, figures varying slightly from the above are given for the principal regions of the country and the country as a whole for 1900, 1908, 1920, and 1928.

⁴⁹ Estimated population for 1932, 126,728,402; total number of eligible voters, 57,914,880. The vote cast for presidential electors, 39,734,351, was 68.6 per cent of the estimated total number of eligible voters.

⁵⁰ Participation in the United States is still below that of certain European countries. Switzerland made a record of 78.8 per cent in 1928. In England participation has ranged between 75 and 80 per cent, in Germany and France between 80 and 85 per cent, in recent elections.

the above percentages, that of the total number of eligible voters. In the last analysis, of course, no voter is eligible unless registered, wherever that requirement exists. Comparing actually registered voters with the vote cast in the presidential elections gives the following result:

PRESIDENTIAL ELECTIONS, 1928, 1932

	Total Registration	Total Vote	Percentage of Vote to Registration
1928.....	42,387,254	36,798,669	86.8
1932.....	46,965,230	39,734,351	84.6

With regard to registration figures it may be said, of course, that many otherwise qualified voters will not go to the trouble to get their names upon the rolls, that in fact they are doubly slackers, first as to registration, second as to casting their ballots. On the other hand it is impossible to say how many such persons have lost the right to vote for one cause or another. In 1932, for example, large numbers of persons were disqualified because they had left home in search of work, and some, indeed, because they had been compelled to accept charitable relief. On the other hand it is true that registration lists always contain a certain proportion of names of persons who because of death, change of residence, or for other reasons have lost the right to vote. No exact measurement of this factor of error has been made in the United States. Swiss statisticians have found it to be between 3 and 4 per cent for that country. In any event, one hundred per cent participation on the basis of registration figures is impossible in any election that is honestly conducted. Allowing for the factor of error in the lists it may well be that the participation recorded for 1928, *viz.*, 86.8 per cent, may represent more than 90 per cent of those correctly registered.

Effects of
predomi-
nance of
one party

Another powerful factor hitherto unmentioned affects the turnout at the polls. Over large sections of the country the overwhelming predominance of one party or the other is clearly established. In these areas such political contests as occur are fought out in the primaries. Since almost without exception the election does

nothing more than to reaffirm the result of the primary contest in the dominant party, a great many voters do not trouble to go to the polls. Hence the very low percentages recorded by the states of the solid South, *e.g.*, in the presidential election of 1928 only 34 per cent of the registered voters of South Carolina cast their ballots, in Georgia only 46 per cent. There are no unusual suffrage restrictions in Pennsylvania, but the Republican party is practically certain to win every state-wide contest in that commonwealth. It is not surprising, therefore, to find that the percentage of the vote to the registration is comparatively low, being in 1928 only 79 per cent as compared with 90 per cent in the neighbor states of New York and Ohio. Indiana has a broad suffrage, comparatively few foreigners, and is a recognized battleground of the two parties. In the presidential election of 1928, actually only three out of every one hundred of its registered voters failed to cast a ballot.

A large amount of intensive statistical investigation remains to be done before the phenomenon of non-voting can be thoroughly comprehended—and it must be comprehended before it can be dealt with helpfully. Fortunately one such study has already been made by Professors Charles E. Merriam and H. F. Gosnell, aided by graduate students of the University of Chicago.⁵¹ Investigating more than five thousand persons who failed to vote in the Chicago mayoralty election of April, 1923, they discovered that 25.4 per cent alleged physical difficulties—illness, absence, or detention by a helpless member of the family; 12.6 per cent alleged legal or administrative obstacles—insufficient term of residence, fear of loss of business or wages, fear of disclosure of age, congestion at polls, or poor location of polling booth; while 17.7 per cent stated as the reason for their failure to appear disbelief in voting on various grounds, such as disgust with politics, belief that one vote counts for nothing, disbelief in woman suffrage. The remainder, 44.3 per cent, were absentees because of inertia of one sort or another, either general indifference, indifference to this particular election, neglect (“intended to vote, but failed”), ignorance or timidity regarding elections, or failure of party workers. Based on the above analysis, various methods of controlling non-voting are presented by Professors

Reasons
for non-
voting

⁵¹ *Non-Voting*, University of Chicago Press, 1924.

Merriam and Gosnell which deserve the most careful attention of all students of the subject.

Vital
issues
and par-
ticipation

When all is said and done, however, the best method of stimulating participation is to submit to the electorate issues which are of real importance. Especially when presented by leaders of power and character such issues will always bring the people to the polls in overwhelming numbers. It is for the above reason that participation of recent years has been higher in European democracies than in the United States. Issues ranging all the way from red communism to black reaction leave few Continental voters untouched, either favorably or unfavorably. Perhaps one should give thanks that conditions have not yet reached such a pass on this side of the Atlantic, accepting civic indifference as merely part of a situation on the whole favorable to ourselves. Nevertheless the turnout in the presidential election of 1932, due to issues resulting from the depression, may foreshadow a real awakening of the American electorate.

ABSENT-VOTING LAWS

Extent of
absent-
voting leg-
islation

Of recent years an energetic effort has been made throughout the greater part of the country to provide voting facilities for one considerable category of electors hitherto unable to participate because of unavoidable absence from home on election day. The first absent-voting law was passed by Vermont in 1896, Kansas following in 1901.⁵² In 1913 the movement began to sweep the country, acquiring additional momentum after our entrance into the war, when it was made use of by many states to enfranchise their citizens absent on military or naval service. Subsequently every state in the Union enacted laws on the subject with the single exception of Connecticut which has never extended the privilege to any class of its voters. However a repealer, so far as civilians were concerned, was passed by the New Jersey legislature in 1926, and by the Indiana legislature in 1927. The supreme courts of Kentucky in 1921⁵³ and of Pennsylvania in 1925⁵⁴ declared the absent-voting laws of their states unconstitutional. At present Maryland, New Jersey, Pennsyl-

⁵² Cf. *Pennsylvania L. 1869*, chap. 55, sec. 19, for a very limited form of absent voting established in 1869; also P. O. Ray, "Military Absent-Voting Laws," *Am. Pol. Sci. Rev.*, vol. xii, pp. 461-469 (Aug., 1918).

⁵³ *Clark v. Nash*, 192 Ky. 594; 234 S. W. 1.

⁵⁴ 281 Pa. St. Rep. 131.

vania, and Rhode Island limit the privilege to persons actually in the military service of state or nation in time of war.⁵⁵

Absent-voting laws are of two main kinds—the Kansas type which enables the absent voter to secure a ballot on election day only, from election officials of the place within the state where he happens to be; and the North Dakota type, which permits him to secure a ballot from his local officials prior to election day. Recently the drift of legislation has been strongly toward the North Dakota type, Kansas itself going over to that type in 1929.

Types of
absent-
voting
laws

The Kansas method avoids the not inconsiderable danger due to the issue of official ballots prior to election day. On the other hand, it suffers from the defect that most of the ballots sent in by mail, except from places only a short distance away, arrive too late for anything but the official count.

Kansas
method

By issuing ballots prior to election day the North Dakota plan incurs the danger noted above, but gains the advantage due to the arrival of the absent voters' ballots in time to be counted with the other ballots. Technically the greatest difficulty of the North Dakota plan is due to the necessity, constitutionally prescribed in some states, of preserving the secrecy of the absent voter's ballot. If nothing is done to distinguish such ballots from ordinary ballots the secrecy of the absent voter's ballot is secured, but, on the other hand, his ballot, transferred to a corruptionist prior to the opening of the polls, may be used to commit the "endless chain" fraud. If the absent voter's ballot is clearly marked as such it cannot be used for fraudulent purposes. But since it may happen that only one ballot of this kind is cast in a polling place, election officers knowing who is absent will, of course, know how this absent person marked his ballot. Of the two dangers, the former is clearly the greater. Accordingly, most of the more recent laws provide that absent voters' ballots must either be printed on colored paper or must bear the inscription conspicuously printed on the back, "Official Absent Voting Ballot."

North Da-
kota plan

Rather elaborate rules are laid down, especially under the North Dakota plan, not only to preserve the secrecy of absent

New York
law of
1920

⁵⁵ Cf. H. M. Rocca, *A Brief Digest of the Laws Relating to Absentee Voting and Registration*, published by the National League of Women Voters, 1928, Washington, D. C.

voting, but also to guard against abuse of this privilege. The following details, taken from the New York law of 1920, may serve to illustrate the general practice in this field. A qualified voter expecting to be unavoidably absent on election day must make application to the board of elections of the city or county in which he resides not less than seventeen days prior to the date of election. The application must be accompanied by an affidavit giving various items of personal information, including a statement of the causes of the anticipated absence. If the board of elections finds that all requirements of registration, residence, and so on have been duly complied with, it delivers an absentee ballot or set of ballots with an official envelope to the applicant in person, or, if he shall have so requested, to a member of his family, or they may be mailed to him at any address in the United States.

Official
absentee
ballot

The official envelope which must be used in returning the ballot carries on one side a printed form of oath to be made by the absent voter, containing among other matters a statement to the effect that, "I will be unavoidably absent from the state or county of my residence because of duties, occupation or business . . . on the day of election; (and) that I have not qualified nor do I intend to vote elsewhere than as set forth on the reverse side of this envelope." The absent voter must mark his ballot in the accustomed manner, fold and inclose it in the envelope, and seal it. He must then take and subscribe to the oath on the envelope, filling in blank spaces as required and mail it to the board of elections from which he received it. In most absent-voting laws the voter is required to mark his ballot in the presence of the notary public or other official who is to take his oath, in such a manner, however, that the latter may not know how it is marked.

Reception
and count

Envelopes received by the board of elections not later than noon of the Friday before election are delivered unopened to the boards of inspectors of the proper election districts. Immediately after the closing of the polls the envelopes are canvassed by the inspectors, the absentee voter's signature is compared with his signature at the time of registration, the check list is looked over to see that no one has voted in person under his name, and if all is found in due order and no challenge is made the en-

velope is opened and, without being unfolded, the inclosed ballot is deposited in the box to be counted in the same manner as the others.

In some states absent voting is permitted in general elections only, in others—and this is becoming the more common practice—it is permitted in both primaries and elections. A few laws also permit registration *in absentia*. Most of the laws require that a voter must anticipate absence at least from the county to qualify for the receipt of an absent voters' ballot, the Massachusetts equivalent for this proposition being "in a municipality which is separated by at least two municipalities from the city or town where the voter is registered."

Absent
voting in
primaries:
other
details

Under the Kansas plan absent voting was possible only from places within the state, and the same limitation was imposed in some laws of the North Dakota type. Of course the military absent-voting laws had to disregard this limitation, and the tendency of the civilian laws of later date is to permit voting "within or without the state, but within the United States," as the New York law puts it.⁵⁶ Tennessee and Virginia authorize absent voting in practically any part of the world.

Distance

Absent-voting laws were intended originally for the benefit of persons unavoidably compelled to be away from home on election day, *e.g.*, commercial travelers, transportation employees, engineers, contractors and business men engaged on work at a distance from their election districts, state and federal officials whose duties send them far afield, and finally college and university students.⁵⁷ However, more recent enactments are extending the privilege to persons remaining at home but unable to come

Illness,
physical
disability

⁵⁶ Besides New York the following apparently permit voting from outside the state but within the United States: Illinois, Indiana, Maine, Minnesota, Montana, North Carolina, and South Dakota.

⁵⁷ Attempts by students to register and vote in their college or university town have usually been met by judicial denials of legal residence therein. This has been held to be the case even when the students concerned were earning their own living in the college town. For a much-quoted decision on this subject see *Fry's App.*, 71 Pennsylvania, 302, March 19, 1872. In some states legislative enactments expressly forbid the acquisition of legal residence by students in college or university towns. On the other hand at Princeton, according to statements made by high university officials, students had been permitted to vote ever since the 'eighties of the last century. When this privilege was withdrawn in 1927, lively protest was made by the student body, however without effect.

to the polls because of illness or physical disability. In such cases a physician's certificate must accompany the voter's application and affidavit. Wisconsin in 1916 was the first state to do this; subsequently twelve others have followed its example. Indiana permitted persons under quarantine to vote *in absentia*. A North Dakota law even extends the privilege to "any woman who resides one-half mile or more from the polling place of her voting precinct."⁵⁸

Extent of
voting in
absence

In practice absent-voting laws are not made use of to any great extent. The percentage of voters taking advantage of them varies considerably from state to state and from election to election. Thus in New York City the number of ballots cast *in absentia* ran as follows, presidential years being italicized: 1920—814; 1921—188; 1922—329; 1923—160; 1924—928; 1926—471; 1927—138. The best performance recorded in the above series, that of 1924, fell below a thousand votes out of a total of 1,404,404.⁵⁹ However, as the laws on this subject come to be more widely known there may be some increase in the number of absent voters. It is evident that the numerous formalities required to qualify deter many who are compelled to be away from home on election day. In the administration of the laws frequent frauds are reported by some states, in others crookedness is unknown in connection with absent voting.⁶⁰ Perhaps the best statement of arguments against the practice was made by the sponsor of the repeal bill passed by the New Jersey legislature in 1926, as follows: "(1) the opportunity offered for fraud, especially because the law gives insufficient time to investigate an applicant for an absent voter's ballot; (2) the fact that only a relatively small number of qualified absentees availed themselves of the absent-voting privilege; (3) the expense entailed in printing a relatively large number of ballots to accommodate the small number of applicants."⁶¹ As a result of the depression it seems likely that similar repealers will be pushed through in a number of other states.

⁵⁸ L. 1919, chap. 32.

⁵⁹ Professor J. K. Pollock discusses in detail the actual operation of the absent-voting law of Ohio, elections of 1920 and 1924, in the *Nat. Mun. Rev.*, vol. xv, p. 282 (May, 1926).

⁶⁰ R. S. Boots, "A Model Election System," *Nat. Mun. Rev.*, vol. x, p. 604 (Dec., 1921).

⁶¹ H. M. Rocca, *op. cit.*, p. 5.

COMPULSORY VOTING

Upon consideration of all the facts regarding failure of voters to participate in elections, one finds the situation to be less discouraging than alarmist writers are accustomed to represent it.⁶² Occasionally, however, denunciations of the "apathy of voters" and lamentations over "the waning interest in elections" are joined with proposals to make voting compulsory.⁶³ Assuming the largest possible measure of success in such an undertaking, nothing more could be accomplished than the securing of the physical presence at the polls of persons without sufficient patriotic spirit or interest in the election to present themselves voluntarily. Is such a result worth the very considerable effort it would cost? Indeed, one may well question whether it would be desirable even if it could be obtained without effort. What of the citizen who, after full consideration, decides to abstain from voting on the ground that none of the parties offers a program that meets with his approval? Even in democratic Switzerland "conscientious objectors" of this type have made their position clear as against compulsory voting laws; neither would their motives be inherently unreasonable or contrary to public policy in other countries.

Is it worth
while?

It must be remembered, moreover, that, owing to the secrecy of the ballot, voters whose attendance is compelled can make a joke of the law by depositing unmarked or spoiled ballots. Also among those who now vote willingly enough there are doubtless many who would absent themselves out of sheer perversity if compulsion were attempted. It is certain that communities which

Possibility
of evasion

⁶² Cf. T. Williams, "High Cost of Elections," *Century*, vol. cii, p. 409 (July, 1921).

⁶³ On compulsory voting in Czecho-Slovakia see article by C. E. Merriam, *Nat. Mun. Rev.*, vol. xiv, pp. 65-68 (Feb., 1925); in Belgium, by T. H. Reed, *ibid.*, vol. xiv, pp. 335-336 (June, 1925); also his *Government and Politics of Belgium*, p. 56; in Switzerland, see the writer's *Civic Training in Switzerland*, p. 110. The percentage of unmarked ballots in Swiss cantons with compulsory voting laws ranged in 1928 from 1.6 per cent in Thurgau to 3.8 per cent in St. Gall, whereas the average for the country as a whole was exactly 1 per cent. The Commonwealth of Australia imposes the relatively high fine of \$10 for failure to register or vote; in the Australian elections of 1926 more than 93 per cent of the qualified voters went to the polls. For general experience with this device see W. A. Robson, "Compulsory Voting," *Pol. Sci. Quar.*, vol. xxxviii, pp. 569-577 (Dec., 1923).

now tolerate absenteeism would wink at the violation of compulsory laws.

Penalties

Of course the effectiveness of such laws must depend largely upon the penalties employed. Imprisonment is manifestly out of the question. To put absentees on jury lists, as proposed by certain reformers, would reduce the quality of juries—certainly none too high at present—much more than it would improve the electorate. To impose difficulties upon absentees when they present themselves for registration is futile, and would make for chronic instead of occasional neglect of suffrage duties. Fines could be imposed but not in large amounts. And small fines would bring to the polls only those poorer voters to whom they represented a substantial penalty.

Colonial precedents; recent enactments

The doubtful value of compulsory voting, thus apparent upon analysis, has been confirmed by such experience as we possess. Our Colonial statute books were full of quaint laws on the subject, long since dead, buried, and forgotten.⁶⁴ In 1918, however, Massachusetts adopted, by a close vote of 134,138 to 128,403, a constitutional amendment authorizing the legislature to provide for compulsory voting.⁶⁵ So far, however, the legislature has not availed itself of this authority. The only other recent enactment in this field was the Oregon law of 1915, providing that one who fails to vote at least once in two years cannot vote again without going to the trouble of re-registration or of "swearing in" his vote at the election. In 1920, however, when the legislature submitted a constitutional amendment to provide for both compulsory registration and compulsory voting, presumably under penalty of fines or temporary disfranchisement, it was rejected by popular vote of 131,603 to 61,258.⁶⁶

The ideal goal

If the ideal of democratic suffrage is the nearest possible approach to a 100-per-cent participation in elections, it is evident that compulsory voting laws will not attain it. Nor is any other short cut to this goal likely to be discovered. Here, as in other problems of suffrage, the most hopeful solution is to be found in those slow processes of education and social reform which increase the number of alert and intelligent citizens.

⁶⁴ For some interesting quotations from these legal curiosities see A. B. Hart, *op. cit.*, p. 309.

⁶⁵ *Constitutional Amendment LXI, Acts and Resolves*, 1919, p. 64.

⁶⁶ J. D. Barnett, "Compulsory Voting in Oregon," *Am. Pol. Sci. Rev.*, vol. xv, p. 265 (May, 1921).

BOOK NOTES

IF PRACTICAL political effectiveness is aimed at, the study of election laws generally must be supplemented by intensive study of the election laws of one's own state. Usually compilations of these laws may be obtained without cost upon application to the secretary of state, and students should be urged to supply themselves with copies. Also election laws are frequently reprinted in full in the manuals prepared for the use of members of the state legislature. Finally they may be consulted in the codifications or revisions of state laws published from time to time, but care should be taken to see that these are of late date. Subsequent enactments may be traced in the annual volumes of statutes. Valuable summaries by V. J. West of changes made in election laws throughout the United States during the years 1922 to 1924 inclusive, may be found in the *American Political Science Review*, Vol. XVIII, pp. 312-320 (May, 1924), and Vol. XX, pp. 339-346 (May, 1926).

*E. C. Evans, *History of the Australian Ballot System* (University of Chicago Thesis, 1917), is the most valuable monograph in this field. *K. H. Porter, *History of Suffrage*, cited under the preceding chapter, may also be consulted to advantage.

For a competent and thoroughgoing treatment bringing the whole subject down to date students should be referred to *J. P. Harris, *Registration of Voters in the United States* (1929). M. Ostrogorski, *Democracy and the Organization of Political Parties*, Vol. II, pp. 209-304 (1902), gives a brief historical sketch of registration in the United States. From the point of view of the state the subject is well treated by A. N. Holcombe, *State Government in the United States*, Ch. VIII (1928); and from the municipal viewpoint by W. B. Munro, *The Government of American Cities* (3d ed., 1921).

The tendency of voters to absent themselves from the polls on election day gave rise during the years from 1920 to 1924 to a flood of literature, most of it popular and hortatory in character. For a thoroughly scientific investigation of the question based on the Chicago municipal election of 1923 students should consult *C. E. Merriam and H. F. Gosnell, *Non-voting, Its Causes and Methods of Control* (1924). A valuable brief study on similar lines was made by B. A. Arneson, "Non-voting in a Typical Ohio Community" (Delaware, O.), *Am. Pol. Sci. Rev.*, Vol. XIX, pp. 816-825 (Nov., 1925).

PART IV

PROBLEMS OF PARTY REFORM IN THE
UNITED STATES



CHAPTER XVI

THE SHORT BALLOT; PROPORTIONAL REPRESENTATION

AT THE beginning of our national history the ballots used in elections were short and easy to vote. In a few of the smaller agricultural states they have remained so, comparatively at least. Thus the ballot used in New Hampshire in the 1928 election, although including national, state, and local offices, was only 16 by 12 inches. The Minnesota ballot for national and state offices, 17 by 5 inches, with constitutional amendments on a separate sheet 6 by 5 inches, was also comparatively short and simple. In all the great urban and industrial commonwealths, however, ballots had become so large and complicated before the end of the nineteenth century that to vote them intelligently was a matter of the utmost difficulty. By uniting all the old-style "shoe-string" tickets on a single official sheet the Australian ballot law revealed the true magnitude of the voter's problem.

American
ballots
originally
short

THE SHORT BALLOT

For a number of years the conviction gained ground among statesmen and students of political science that the conditions thus revealed were responsible for many serious political evils. In 1911 a movement to combat these evils took definite form with the establishment of the National Short Ballot Organization. The platform of the Progressive party in 1912 contained a plank "urging on the states the policy of the short ballot, with responsibility to the people secured by the initiative, referendum, and recall." This is the only instance in which the issue has been mentioned in a national platform. It is not too much to say, however, that all the more thoughtful leaders of both parties have enrolled themselves as believers in the short ballot.

National
Short
Ballot Or-
ganiza-
tion

Before examining the proposals of the Short Ballot Organization it may be well to review the causes that have made American ballots so prodigiously long and complicated. With the

Causes
making
American
ballots
long

growth of population, of course, the number of public offices, among them elective offices, increased. In fact, offices increased more rapidly in proportion because of the nineteenth-century tendency to extend the powers of the state into new fields of administration and regulation.¹ Of course, these factors were at work also in the democratic countries of western Europe, where, nevertheless, the short ballot remained in use. In the United States, however, certain additional factors were developed either exclusively or to a degree unknown across the Atlantic.

Separation
of powers;
Jacksonian
influence

Among these was the theory of the separation of powers which was first introduced, with due sense of proportion, however, in the federal government. Later it was carried to an extreme degree by states and cities, with a consequent absurd multiplication of authorities and office holders checking and balancing each other. Next Jacksonian democracy, rejecting the caution of the Fathers of the Constitution with regard to popular elections, proclaimed the doctrine that the most certain means to secure the rule of the people were (1) to make the largest possible number of public offices elective, and (2) to shorten the terms of office holders so that they should be forced to submit their conduct frequently to the approval or disapproval of the people. Little or no distinction was made by the advocates of this doctrine between policy-expressing and policy-executing authorities, with the result that large numbers of administrative and judicial positions were made elective, a condition well-nigh unknown in European countries.

Federal
nature of
our gov-
ernment

Our ballots were further burdened because of the federal nature of our government and because of the enormous development within our states of administrative districts and local government units, each with many officials to elect. Until a comparatively recent date when municipal elections were transferred to another season of the year, it was the general custom to hold elections for national, state, county, and city offices all on one day, which naturally resulted in making the joint ballot used for the occasion a huge affair. More recently still the extension of the initiative and referendum has added considerably to the ballot's burden, particularly in our western states.

As the combined result of the above factors some of the bal-

¹ A. N. Holcombe, *State Government in the United States*, pp. 337-405; F. G. Bates and O. P. Field, *State Government*, pp. 277-359.

lots used in American states have reached phenomenal proportions. Thus in the Wisconsin election of 1904, the ballot measured 35 by 24 inches. The Illinois ballot of 1930 was slightly smaller, being 32 by 25 inches. Pennsylvania had the largest ballot—36 by 24 inches—used in the presidential election of 1928, but the abnormal area of six square feet which it attained was due largely to the inclusion of fourteen constitutional amendments. In the same year the New York ballot for presidential electors was 21 by 16 inches, and for state and local offices in Albany County, 17 by 16 inches. The difficulty of voting a ballot, however, is determined not by the number of square feet it covers, but by the number of questions it places before the voter for decision. In the latter respect the ballot used November 2, 1920, in Portland, Oregon, probably represents a world's record. It was 40 inches long by 14 inches wide. A little over a third of this space was occupied by eleven state and seven municipal initiative and referendum issues. Printed in small type, these ran to about two thousand words. The remainder of the ticket contained the names of 91 candidates running for 52 offices—national, state, county, and municipal. However the chief difficulty in voting the Portland ticket of 1920 lay in deciding the questions submitted to popular vote. They were of such a character that to answer them would have required weeks of study by persons already fairly versed in political science, economics, and local business conditions. So far as candidates were concerned, the Oregon ballot was of average difficulty only. On this score it cannot rival the Chicago ballot cited by Professor Kales, which contained 267 names of men running for 53 offices, exclusive of presidential electors. "In New York City the number of elective offices in state, city, and county to be filled by popular vote in a cycle of four years is nearly five hundred. In Chicago there have been six thousand nominees in a single primary election. Philadelphia, although smaller than these cities, elects more officials than either."²

Actual size
of ballots

In this connection a leader of the short-ballot movement writes: "The habit of saying 'election day,' and 'election' instead of 'elections,' has caused more trouble than any other idiom of the language. When we fill ten offices by popular vote

"Elections"
not
"election"

² Cf. *The Short Ballot* published by the National Short Ballot Organization, New York, 1919. This pamphlet will be referred to hereafter simply by title.

in a single day, we call it 'an election,' but it is really ten elections. We, the people, simply allow sets of candidates to be tied together . . . in bunches like asparagus and then vote them by the bunch."³

Blind
voting

Confronted by ballots of such size and difficulty, the average citizen, nay the exceptional citizen, must confess that he votes blindly so far as perhaps nine tenths of the candidates and offices are concerned. Former President Eliot of Harvard, the "ideal citizen," once admitted in a public address that this was true in his case.⁴ Of course, the system of electoral districts is very complicated in all parts of the country, but the ordinary voter does not realize its full difficulties. In Philadelphia, for example, he is called out to the polls only twice each year—once in the spring and once in the fall. True enough, he must register for each election, which brings the total up to four visits per year to the district polling booth. To show how simple and yet how complicated the Philadelphia system is, assume for example that you are a voter in the first district of the first ward. Here is a total population of 224. Of these, 169 are voters. (Incidentally in the 1931 mayoralty vote, 161 voted Republican and 8 voted Democratic.) In even numbered years primaries are held in the spring, in odd numbered years primaries are held in the fall; and, of course, national and state general elections are held in even years while odd years are reserved for local elections. It is only in the districts, of which there are 1566 in Philadelphia, that party officers are elected. Everywhere else in the hierarchy there are general elections. Once every two years, then, you, as a member of the first district must elect a tax assessor, a judge of elections, and two election inspectors along with the other 168 voters in your district. But you also live in the first ward, the population of which reaches the total of 41,103. Of this population you are only one of 10,672 registered voters; and your ward must elect seven school visitors who serve for four years and two constables who serve for six years. In addition you are also a resident in the first State Representative District which has a population of 123,518. Here you are only one of 30,581 voters, and it is your duty to elect two representatives to your state legislature once every two years. As if this

³ R. S. Childs, *Short Ballot Principles*, p. 22.

⁴ *The Short Ballot*, p. 7.

were not enough you are also obligated to elect a councilman and a state senator for four-year terms from your first Senatorial district which boasts a population of 270,668, only 72,081 of whom are voters like yourself. Fortunately the Councilmanic Districts are coterminous with the State Senatorial Districts. Nor is this all. You also live in the first Congressional district along with 286,462 other people. But here you are only one of 77,631 voters to elect one congressman every other year. Again, you are a voter of the City and County of Philadelphia. In a population of 1,950,961 you become more and more insignificant when it is realized that you have some 555,950 other voters with whom to compete. In all, as a resident of Philadelphia, you must elect 88 city, county, and judicial officers with terms varying from four to ten years. Finally you reside in the state of Pennsylvania having a population of 9,631,350 and a voting population of 3,522,510. This requires that you elect 38 presidential electors once in four years, 2 United States Senators for six-year terms, and at least 19 state executive and judicial officers having terms of office from four to twenty-one years. All of which seems to prove that the voter grapples with a complicated machinery of government which must certainly bewilder him by its intricacies. But it is not so bad as it might appear on the surface, for in going to the polls twice a year, and in moving his pencil down the long list of nominees, the ordinary elector is utterly unaware that he is anything but John Jones of the Republican party. He does not even realize, in fact he would be very much surprised to hear, that he is a voter of the first district, of the first ward, of the first state representative district, of the first state senatorial district, of the first congressional district, of the city and county of Philadelphia, of the state of Pennsylvania, of the United States of America.

In addition to more or less blind voting on the part of the best-intentioned citizens, the cumbersome ballots of the day are alleged to be responsible for much of the apathy which prevails with regard to politics.⁵ The average man necessarily finds most of his energies absorbed by the process of earning a living;

Apathy

⁵ Walter Lippmann, *The Phantom Public*, 1925, p. 13, found apathy the most characteristic trait of American politics. He characterized as "the homeopathic fallacy" the assumption "that adding new tasks to a burden the people will not and cannot carry now will make the burden of citizenship easily borne."

the average woman is largely engrossed in household cares. They desire to perform their civic duties properly but cannot give unlimited time to the task. With personal registration every year, and with one or two primaries or elections each year, both of the latter involving long and difficult ballots, many turn aside from politics, except perhaps when an occasional thrilling contest takes place. Under these circumstances denunciations of "civic slackers" and oratorical appeals for a "100-per-cent turnout" at the polls accomplish little or nothing. The real and only solution, according to short-ballot advocates, is to reduce the number of elections and to simplify the ballot—in other words, to adjust the franchise burden to the abilities and available energies of those who have to carry it.

Long ballot a politician's ballot

Worse than blind voting and civic apathy, however, is the fact that our blanket ballots give every advantage to the organization and to the practical politician. "The long ballot is the politician's ballot; the short ballot is the people's ballot." We have already noted the extreme ease with which in many states a straight ticket can be voted and the relatively much greater difficulty of voting a split ticket. When tickets are to be split effectively, it can best be done under the direction of active political workers. Reformers consider the voting of a split ticket to be the beginning of civic virtue. As a matter of fact, when done independently it avails little, because personal preferences vary and the results spread over the surface of a large ballot are neutralized and lost.

Too much voting disfranchises the electorate

Under these conditions the rank and file of independent voters lose the power to reward the good or to punish the bad public servants, except perhaps in the case of well-known candidates and of very conspicuous offices. Paradoxical as it may seem, it is none the less true that because of too much voting the electorate is disfranchised. And consequently office holders come naturally to disregard the interests of the people, and to accept the dictation of the organization, of that "invisible government" that can and does make or unmake them.⁶

Short-ballot principle

In opposition to these conditions the short-ballot principle is stated as follows:

⁶ Elihu Root, *The Short Ballot and "the Invisible Government,"* an address before the New York Constitutional Convention, Aug. 30, 1915, reprinted by the National Short Ballot Organization.

First, That only those offices should be elective which are important enough to attract (and deserve) public examination.

Second, That very few offices should be filled by election at one time, so as to permit adequate and unconfused public examination of the candidates, and so as to facilitate the free and intelligent making of original tickets by any voter for himself unaided by political specialists.⁷

A practical application of these proposals to November ballots in the state of Oregon is outlined in the following table:⁸ Practical application

First Year	Second Year	Third Year	Fourth Year
President and Vice-President four years	Governor four years <i>Appoints all state administrative officials, also sheriffs and district attorneys</i>	Congressman two years	Judges
Congressman two years	State Auditor four years	Three County Directors four years <i>Appoint all other county officers</i>	
	State Representative four years <i>(State Senate abolished)</i>		

The term "short ballot" is unfortunate in so far as it seems to imply that the advocates of this reform are concerned with ballot changes only. As a matter of fact, the necessary readjustments involved in changing large numbers of offices from a popularly elective to some other basis of choice, compel short-ballot advocates to become advocates of many other governmental and administrative changes, some of them sweeping in character.⁹ Of these the more important are as follows:

Other consequences of short-ballot reform

⁷ *The Short Ballot*, p. 2.

⁸ *The Short Ballot*, p. 18.

⁹ Cf. A. B. Hall, *Popular Government*, pp. 253-269.

First, all the minor and uninteresting offices which now clutter up our ballots shall be made appointive. If these involve special aptitude, appointment will rest upon civil-service examinations. In any event, the appointive officials, having themselves been chosen by short ballot, will presumably exercise their power of appointment to the public advantage.

Second, the excessively large number of administrative offices, bureaus, and commissions now common in nearly all our state governments should be consolidated according to some logical plan and in most cases be made appointive.¹⁰

Third, bicameral city councils of unwieldy membership have virtually disappeared from American municipalities. Possibly state legislatures may follow their example in time. All popularly elective boards or commissions with large membership should be reduced in number or made appointive.

Fourth, the substitution for the traditional forms of city government of the commission and commission-manager plans very greatly shortens the ballot for municipal offices.

Fifth, the lengthening of terms of office in general makes for a short ballot and less frequent elections.

Centralization;
"monarchy"

All these reforms are strongly supported as desirable on their own account quite apart from their effect in reducing the size of the ballot. Short-ballot advocates urge them, of course, on both grounds. It will be noted that the general effect of the changes listed above is to concentrate authority in fewer hands. Hence the opposition cry of legislative and executive tyranny, which one impassioned enemy of the short ballot even denounced as "monarchy."¹¹ Of course abuses may develop as a result of centralization. As a matter of fact, however, the real danger of tyranny in this connection is that of the boss lurking behind the blanket ballot and complicated election system of the present. So far as there is any likelihood of the abuse of centralized power under the short ballot it may be met by the concurrent establish-

¹⁰ In April, 1920, the New York state legislature consolidated one hundred and eighty bureaus and commissions into twenty-one departments, of which the governor appoints nineteen. Again in 1927 New York state departments were reorganized and the governor was given power to appoint the state treasurer, secretary of state, and state engineer, all of whom previously had been elected.

¹¹ E. T. Brackett, "Shall We Have Monarchy or Democracy?" *Short Ballot Bulletin*, vol. iii, no. 3, p. 3 (June, 1915).

ment of the recall, and possibly of the initiative and referendum, as was done in connection with the Des Moines plan of commission government and most of the later city charters of the same type. On the other hand the initiative and referendum, if used too freely, would result in an overloaded ballot, thus running counter to the short-ballot idea.

The most difficult obstacle which advocates of the short ballot have to meet is the widespread conviction that frequent popular elections for the largest possible number of offices assure popular control of government. It would be difficult to name a greater fallacy than this erstwhile principle of Jacksonian democracy; nevertheless, it persists obstinately, and is affected to a surprisingly slight degree by constant proofs to the contrary developed under boss and machine rule.

Popular control not assured by long ballot

In spite of opposition to the short ballot as "undemocratic," it has been conspicuously successful in one field, that of municipal government. Some measure of its progress to date may be based upon the fact that there are now nearly five hundred commission and four hundred commission-manager cities in the United States.¹² In state government there has been a slow movement toward the short-ballot idea; on the other hand in county government where need is greatest little has been achieved. With a government so complicated as that of the United States it is of course impossible to reduce the ballots used in general elections to anything like the proportions of English parliamentary ballots. But they can be reduced to a fraction of their present size with beneficent results not only to elections, but to government and administration generally.

Gains made by short-ballot movement

It is probable, however, that short-ballot advocates make too much of the relationship between the powers of the machine and the ballots now in use, and are too sanguine of the overthrow of bossism through the short ballot. Every other political reform from the Australian ballot on has cherished the same hope. The survival of the machine indicates that its powers are more broadly based than reformers of these various schools were inclined to admit. There can be no doubt, however, that bosses

Exaggerated hopes for it

¹² Cf. A. F. MacDonald, *American City Government*, chs. x and xi. According to Professor Charles E. Merriam, *Social Trends*, vol. ii, p. 1508, under the influence of the short-ballot movement the number of elective offices in 202 cities decreased from 3118 to 2343 in the period from 1915 to 1929.

generally are opposed to the short ballot. And in its effects both upon elections and upon administration it should make the manipulation of government by political machines much more difficult. So far as political apathy is concerned increase of content is more effective than any possible reduction in the size of the ballot. Given issues that sufficiently interest voters as in 1928 and 1932, they can be depended upon to turn out in force at the polls and to overcome all merely mechanical obstacles to the expression of their will.

GERRYMANDERING

Plurality
rule

Majority rule is commonly understood to be a democratic principle. Yet in spite of our democratic professions we make less effort to put a majority vote behind elective officials than certain countries of western Europe.¹³ On the contrary with very few exceptions a mere plurality suffices to elect throughout the United States.

Minority
office
holders

Given a fairly even balance between the two major parties, the result is that whenever minor parties acquire a fair degree of strength many candidates are elected with a plurality in their favor, but with a majority of the popular vote cast for their opponents. Thus for a few years following the Progressive split of 1912, a large percentage of the public officials of the country were minority and not majority choices. Indeed this is more common under ordinary circumstances than is generally realized. It occurred in seven gubernatorial elections held in the years 1918 and 1920, and in nine United States senatorial contests in 1916, 1918, and 1920. In spite of the great Republican sweep of the latter year, twenty-one representatives in Congress were elected by less than a majority vote. More recently such cases have become quite rare, primarily owing to the decline of third parties and independent movements generally. However in Minnesota, where Farmer-Laborites still have to be reckoned with, a United States Senator was elected in 1930 who fell short of a majority by over 80,000 in a total vote of 750,000. Also governors were elected in Nebraska and South Dakota in 1926 with less than a majority of the electorate behind them. Of course it is not possible to say what would have happened in the above cases if the

¹³ W. B. Munro, *Governments of Europe*, 1931, p. 458.

two runners-up had been compelled to fight it out at a supplementary election. But it is certain that those who achieve public office under such circumstances represent less than a majority of their constituents.

Inasmuch as the man with the highest number of votes wins under the plurality system, there is no tendency to take cases such as the foregoing tragically. The situation involves factors other than personal success, however, when representation in Congress or legislatures is involved. Here the plurality system works out grotesque travesties on the principle of popular representation, especially when aided by a little adroit gerrymandering. As a classic case the results of the congressional elections of 1912 and 1918 in Indiana may be cited, as follows:

Gerry-
man-
dering

INDIANA CONGRESSIONAL ELECTIONS, 1912

Parties	Popular Vote	Percentage of Total Vote	Seats Won
Democratic.....	291,288	45.5	13
Republican.....	166,698	26.0	0
Progressive.....	127,041	19.8	0
Prohibition and scattering.....	55,807	8.7	0
Total.....	640,834	100.0	

1918

Parties	Popular Vote	Percentage of Total Vote	Seats Won
Democratic.....	251,331	44.3	0
Republican.....	306,807	54.1	13
Prohibition and scattering.....	9,273	1.6	0
Total.....	567,411	100.0	

In 1912 a proportionate distribution of the Indiana seats would have given six instead of thirteen to the Democrats, four to the Republicans, and three to the Progressives. In 1918, seven instead of thirteen would have gone to the Republicans and six to the Democrats.

Machine
aided by
plurality
system

Machine control of municipalities is also greatly strengthened wherever the plurality system with single-member districts still prevails. In the New York City election of November 3d, 1931, for example, Tammany cast 65 per cent of the popular vote and won 98.5 per cent of the 65 seats in the Board of Aldermen, whereas the Republicans with 25.9 per cent of the vote received only one seat, and the Socialists with 8.4 per cent of the vote came out empty handed.

Vagaries
of plural-
ity system

Regardless of the use of the gerrymander, a party which is greatly in the minority stands little chance of getting its deserts under the plurality system. Thus in the general election of 1930 the Democrats of Pennsylvania cast 566,594 votes for representatives in Congress, or nearly 28 per cent of the total. The Republicans won thirty-three seats in Congress, the Democrats, three seats only. In the same year North Carolina Republicans cast 193,310 and Democrats 334,376 votes for Congress. The Democrats won all the seats. Cases are actually on record in which parties with the larger vote secured the smaller number of seats. Thus in 1930 Republicans in West Virginia with less votes than the Democrats elected four out of the six representatives in Congress. In the same year the Republicans of Illinois with a smaller vote than the Democrats won fifteen out of twenty-seven seats.¹⁴

Results
not
evened up

Of course an easy-going commentator might say that these discrepancies even themselves up from year to year or from section to section. But differences of opinion based on sectionalism are great even as between members of the same party. For example a Pennsylvania Democrat, resident in a great industrial center and inclined to flirt with protectionism, may find an agricultural, tariff-for-revenue-only North Carolina Democrat very little to his liking as a representative in Congress. No slipshod theory of give and take can conceal the fact that there is a gross suppression of minorities, a palpable unfairness, in such election results. Unquestionably, some part of the prevailing apathy and disgust with politics can be traced to this source.

Principle
behind
gerry-
mander

Without manipulation of any sort plurality elections in single-member districts are bound to develop frequent cases of misrep-

¹⁴ For detailed figures see article "The Nation Misrepresented" in the *Proportional Representation Review*, p. 43, third series, no. 99 (July, 1931).

resentation such as the foregoing. This ever-present possibility suggests gerrymandering and gerrymandering always aggravates the evil.¹⁵ The principle behind the gerrymander is quite simple.¹⁶ In districting a state or city spread the majorities of your own party over all or over as many districts as possible. If you have not enough votes to control every district, concentrate the strength of your opponents in as few districts as possible, so that it will do them the least good.

On a small scale the process may be illustrated as follows: Illustration
Given a state of sixteen counties, as diagrammed below, with a total Democratic vote of 25,000 and a total Republican vote of 75,000, it is evident that, with four representatives to choose, the former party should elect one, and the latter three.

A 1,000 D 1,000 R	B 2,000 D 2,000 R	C 3,000 D 3,000 R	D 2,000 D 3,000 R
E 2,000 D 1,000 R	F 1,000 D 1,000 R	G 1,000 D 16,000 R	H 3,000 D 2,000 R
I 1,000 D 13,000 R	J 1,000 D 14,000 R	K 1,000 D 14,000 R	L 2,000 D 1,000 R
M 1,000 D 1,000 R	N 1,000 D 1,000 R	O 1,000 D 1,000 R	P 2,000 D 1,000 R

¹⁵ Although the practice was known much earlier, the name "gerrymander" was first used following the redistricting of Essex and other counties of Massachusetts in 1812 during Elbridge Gerry's administration as governor. For various stories as to the origin of the name and a brief account of some of the more notorious instances of the employment of the gerrymander, see H. F. Griffin, "The Gerrymander," *Outlook*, vol. xcvi, pp. 186-193 (Jan. 28, 1911).

¹⁶ C. O. Sauer, "Geography and the Gerrymander," *Am. Pol. Sci. Rev.*, vol. xii, pp. 403-426 (Aug., 1918), shows the gerrymander to be a violation of the geographic unity of regions and indicates the possibility of equable representation by reorganizing electoral districts on a geographic basis.

Nevertheless by districting the state as follows:

District	I	Counties	I, J, K, G,
"	II	"	A, B, E, F,
"	III	"	C, D, H, L,
"	IV	"	M, N, O, P,

the Democrats will win three out of four seats. Of course District I is grossly larger in population than the other three, but it is impossible to plan an effective gerrymander against great odds without inequities of this character. On the other hand, the Republicans can district the state easily in such a way as to win all four seats, as for example:

District	I	Counties	A, E, I, M,
"	II	"	B, F, J, N,
"	III	"	C, D, G, H,
"	IV	"	K, L, O, P.

Safeguards
against
gerry-
mander

By way of safeguards against the gerrymander, some state constitutions provide that electoral districts shall (1) be compact in form; (2) contiguous in territory, and (3) contain as nearly equal a number of inhabitants as may be. In spite of the third of these requirements, gross inequalities exist in electoral districts of every kind, from congressional to councilmanic.¹⁷

Districts
of queer
shapes

The first and second requirements—namely, that districts shall be compact in form and shall consist of contiguous territory—do indeed prevent legislatures from tying counties together that have no boundary line in common. With this exception every possible combination into which territory can be tortured has been tried by our legislatures, hence “shoestring,” “dumb-bell,” “saddle-bag,” and “belt-line” districts. It is always possible to find some ostensibly innocent excuse for these combinations, as, for example, that two areas which it is desired to join together have the same preponderant industries or common markets, or that counties or cities should not be divided, although as a matter of fact the latter is often done.

¹⁷ The more extreme cases in congressional districts, population figures for 1930, are as follows: California, second, 157,680, ninth, 1,169,495; Illinois, eighth, 138,216, seventh, 889,349; Michigan, tenth, 186,738, sixth, 1,398,801; Missouri, twelfth, 116,495, tenth, 715,713; Ohio, fifth, 159,679, twenty-second, 633,678; Pennsylvania, fifteenth, 134,265, twelfth, 444,409. *Congressional Directory*, 72nd Congress, 2d Session, Dec., 1931.

A gerrymander that is too impudent may be haled into the state courts as conflicting with the constitutional requirements noted above. But judicial authorities are loath to interfere with the discretion of the legislature in such political matters, even if the legislature seems to have gone too far. Moreover, a decision unfavorable to a districting Act will merely restore an earlier apportionment which may also have been gerrymandered, and which as the result of shifts of population since its enactment is likely to be even more grossly unfair than the later Act. In direct legislation states the referendum may also be invoked against a gerrymander. This was done successfully in Ohio following a Republican redistricting Act of 1915.

Legal action
against
gerry-
mander

There are political penalties for the ranker kinds of gerrymandering, however, which are often immediate and severe. An apportionment act which is aimed against an individual may react to his advantage and against the party undertaking it. The Democratic gerrymander which deprived McKinley of his seat in Congress forced him into the governorship of the state in 1892 and thus greatly enhanced his prestige as a presidential aspirant. Even when a gerrymander is inspired by no personal animus, but seeks merely party advantage, the public reaction to the unfairness involved may be unfavorable. In the nature of the case the gerrymander may easily overreach itself. Its fundamental policy is to spread party majorities as far as they will reach. But in so doing the party exposes itself to complete overthrow if there is a slight reversion of feeling in favor of the opposition. This is precisely what has happened in several instances. Indeed, it is probable that to a very large degree the political effort and adroitness spent in this country on the gerrymander have been worse than wasted.

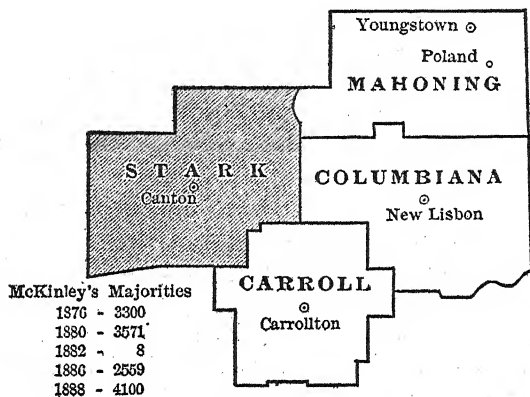
Political
penalties

So far gerrymanders by legislative action have been under consideration. Often worse results follow legislative inaction—results which are all the more insidious because they are slow and silent. Particularly is this true of cities where population increases rapidly and unevenly. Usually the fastest-growing wards are at a distance from the business center, semi-suburban in character, the habitat of well-to-do citizens who are of independent proclivities in politics. By simply holding fast to ancient boundary lines votes cast in machine-controlled wards gradually

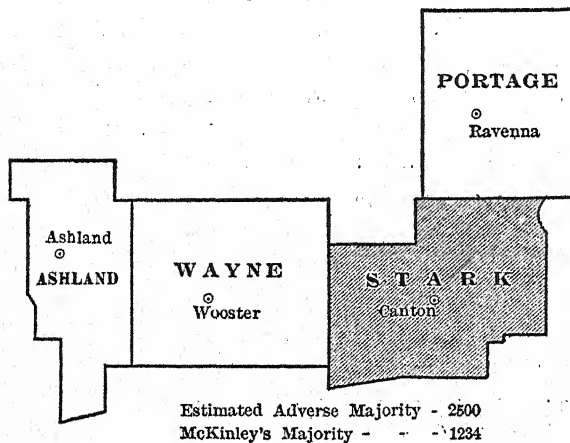
Silent
gerry-
mander

THE GERRYMANDERING

The Normal District as
in 1876, 1880, 1882, 1886 and 1888



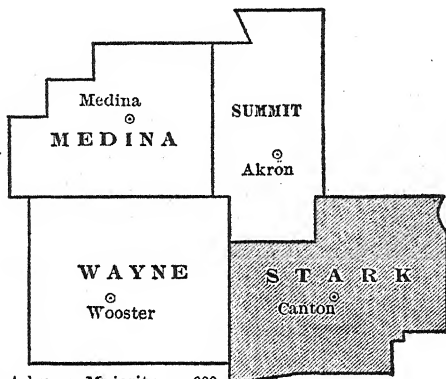
The District as Gerrymandered
in 1878



FROM "THE LIFE OF WILLIAM M'KINLEY," VOL. I, P. 82, BY C. S. OLCOTT

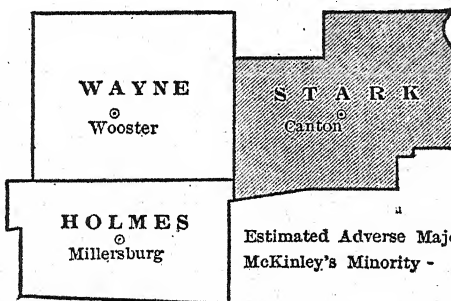
OF MCKINLEY'S DISTRICT

The District as Gerrymandered
in 1884



Estimated Adverse Majority - 900
McKinley's Majority - - - 2000

The District as Gerrymandered
in 1890



Estimated Adverse Majority 3000
McKinley's Minority - - - 303

acquire much greater value than those cast elsewhere. In Philadelphia, for example, Ward 6 on the river front has 536 registered voters; Ward 42 which projects into the great open spaces of Montgomery County to the north has 38,220. In Minneapolis ward lines remained unchanged for thirty years. But the most colossal silent gerrymander in the world's history may be charged to Congress which, disregarding the plain mandate of the Constitution,¹⁸ neglected to provide for the reapportionment of congressional districts for twelve years after the census of 1920 was taken. For more than two decades, therefore, the country remained on the outgrown population basis of 1910 to the serious disadvantage of several states not only in the matter of representation in Congress but also in presidential elections. A definite measure of the inequities of the situation is afforded by President Hoover's announcement of November 18th, 1930, according to which eleven states were to receive additional seats in the House of Representatives as follows: California, 9; Michigan, 4; Texas, 3; New Jersey, New York, and Ohio, 2 each; Connecticut, Florida, North Carolina, Oklahoma, and Washington, 1 each. On the other hand twenty-one states were to lose seats as follows: Missouri, 3; Georgia, Iowa, Kentucky, and Pennsylvania, 2 each; Alabama, Indiana, Kansas, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, North Dakota, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, and Wisconsin, 1 each. Taking the two extreme cases from the above lists Missouri with a population of 3,629,367 in 1930 had 16 seats in Congress and 18 votes in the electoral college, whereas California with a population of 5,677,251 in that year had only 11 seats in Congress and 13 votes in the electoral college. President Hoover's announcement referred to above was made in accordance with a federal law of 1929 which provided that, unless the 71st Congress passed a reapportionment act, the figures drawn up by the President on the basis of the 1930 census should take effect automatically. As the 71st Congress adjourned without making a reapportionment the changes recommended by the executive took effect for the first time in the congressional and presidential elections of 1932.

¹⁸ Art. I, Sec. 3.

One very effective kind of legal gerrymander cannot be taken into the courts, namely a state constitutional provision designed to maintain permanently the political advantage of country over city. Both New York and Pennsylvania seek in this way to prevent domination by metropolitan municipalities. New Jersey gives counties equal representation in the Senate, Connecticut gives towns equal representation in the House.¹⁹ Since rural counties are more numerous in the one case and rural towns in the other one house of the legislature is permanently packed against "city slickers." Another method of attaining the same end, which is practiced in Illinois, Missouri and Washington, is to ignore the state constitutional provisions on legislative reapportionment.²⁰ It is scarcely necessary to say that all these schemes are frankly contrary to democratic theory.

Constitutional
gerry-
manders

Various devices have been employed in the United States to secure a fairer representation of minorities. Of these the simplest and crudest is the "limited vote" according to which every district elects, say, three members, voters being restricted to two votes each.²¹ As a result the majority party regularly wins two seats and the largest of the minority parties wins the third. Unfortunately, under this plan it is easy by a bipartisan arrangement for the majority party to nominate two candidates and the principal minority party one only, leaving the voter no choice on election day. The system is also defective in that it gives two thirds of the representation to the majority and one third to the principal minority party without regard to the actual proportions of their voting strength. Finally it does not take into account the claims of other smaller minority parties.

"Limited-
vote" plan

A somewhat more elaborate device has been used since 1870 in Illinois, where each district elects three members to the state House of Representatives, the voter being permitted to cumulate his votes—i.e., to give two or three votes to one candidate instead

Illinois
cumula-
tive-vote
plan

¹⁹ L. W. Lancaster discusses this condition thoroughly in "Rotten Boroughs and the Connecticut Legislature," *Nat. Mun. Rev.*, vol. xiii, pp. 678-683 (1924).

²⁰ Cf. C. M. Kneier, "Chicago Threatens to Revolt," *Nat. Mun. Rev.*, vol. xiv, pp. 600-603 (1925); also C. E. Merriam, *Chicago*, p. 15.

²¹ Formerly used in aldermanic elections in New York and Boston, and still employed for judges of the Supreme Court, county commissioners and auditors in Pennsylvania, and magistrates in Philadelphia (Art. 5, Secs. 12, 16; Art. 14, Sec. 7, Constitution).

of one each to three, or he may give $1\frac{1}{2}$ votes to each of two candidates.²² Under this system the larger of the two major parties nearly always secures two seats and the smaller one seat, shutting out prohibitionist, Socialist, and other lesser party nominees. But cumulative voting involves the peculiar danger that if a very popular candidate is nominated by the majority party many more votes than he needs may be "plumped" to him, with the result that while his election is assured, the minority party, by a better distribution of its votes, may carry off the remaining two seats. This actually happened in three out of the fifty-one legislative districts of Illinois in the election of 1926. Also in the same election the majority party named two candidates and the minority party one only in thirty-one districts, thus leaving the voter virtually no choice. By a provision of the revised constitution submitted to the people of Illinois in 1922, the system of minority representation was to be abolished; however the new constitution failed of ratification.

PREFERENTIAL VOTING

Origin
and
spread
of plan

The preferential ballot, known also as the Grand Junction or Bucklin plan,²³ represents a considerable advance over the cruder forms of minority representation. Originally introduced in 1909, by Grand Junction, Colorado, it was adopted within nine years by fifty-five cities, most of which were under the commission form of government, among them being Spokane, Denver, Duluth, Portland (Ore.), Cleveland, Columbus (O.), and San Francisco. Subsequently, however, it was abandoned by Cleveland, Duluth, and by Grand Junction itself. The Bucklin plan found widest acceptance in New Jersey where it was adopted by Paterson, Newark, Atlantic City, Hoboken, Jersey City, and twenty-seven other smaller municipalities. It was also used in

²² The clauses referred to (7, 8 Illinois State Constitution of 1870) provide that the voter "may cast as many votes for one candidate as there are representatives to be elected (i.e., three), or may distribute the same, or equal parts thereof, among the candidates, as he shall see fit; and the candidates highest in votes shall be declared elected." See Blain F. Moore, *History of Cumulative Voting in Illinois*, in *University of Illinois Studies* (1909); also R. L. Mott, "Reapportionment in Illinois" in *Am. Pol. Sci. Rev.*, vol. xxi, pp. 598-602 (1927).

²³ Named after James W. Bucklin, who invented the plan and secured its adoption by Grand Junction, Colorado.

the direct primaries of North Dakota, Wisconsin, and Oklahoma.²⁴

To the right of the list of candidates on the Grand Junction ballot there are three columns, headed respectively, First, Second, and Third Choice. The voter may indicate by cross marks only one first choice and one second choice, but he may vote as many third choices as he wishes. If the count shows any candidate to have a majority of first choices, he is declared to be elected. If no candidate has a majority of first choices, each candidate's first and second choices are added together, and anyone securing a majority is declared elected. If no one secures such a majority of first and second choices counted together, each candidate's third choices are added to the sum of his first and second choices, and the election then goes to that one of the candidates having a majority or the largest plurality. According to another method of counting, if no candidate has a majority of first choices, the candidate with the lowest number of first-choice votes is counted out and his second choices are distributed among the survivors, this process being continued until a final decision is reached.

Marking
and count-
ing bal-
lots

In sharp contrast with the plurality rule common to our elections the Bucklin preferential voting plan makes a determined effort to place a majority of choices behind the successful candidate. It is a common trick of political machines to encourage independents to divide their votes among a number of good-government candidates. By concentrating behind a cut-and-dried ticket the machine then easily carries the day under the plurality system. Under the Grand Junction preferential system it could not win so easily, for unless the machine's plurality amounted to a clear majority of first choices, the second and, ultimately, the third choices would come into play. Now the second and third choices of one good-government faction would go almost without exception to the advantage of another good-government faction, so that, failing to win on first choices, the machine would be defeated on later choices in spite of the divisions existing among independents. Further, the preferential voting plan gives the elector a much greater range of expression. In effect the ordinary ballot asks the voter bluntly, "Who is your first choice?"

Effect of
second and
third
choices

²⁴ On Oklahoma's experience see H. A. Barth, *Nat. Mun. Rev.*, vol. xiv, pp. 410-13 (July, 1925).

as if the possibility of a second or third choice were out of the question.

Defects of
preferen-
tial voting
plan

On the other hand the preferential ballot suffers from two defects. One of these is that, failing to obtain a majority, it counts second choices, and ultimately third choices also, as equal in weight to first choices. Certainly this is not in accordance with the voter's intent, for in the nature of the case a first choice is held to be of greater value than a second, and a second choice of greater value than a third.²⁵ Closely related to this defect is the fact that when second choices are taken into account each voter's second choice completely neutralizes his first choice so far as those two candidates are concerned, and that when the third choices are taken into account each voter's third choice completely neutralizes his first and his second so far as those three candidates are concerned. To put it in another way, a voter naturally hopes that his first choice will win by a clear majority of first choices. If this should not occur, he realizes that his second choice may help the candidate who receives it to defeat his first choice. Hence a very large percentage of voters under the preferential plan stop with the expression of their first choice. For example, in the Hoboken municipal election of 1927, the first-choice votes in a majority of cases were from twenty to fifty times more numerous than the second-choice votes, in one instance a candidate received two hundred and sixty-four times as many first-choice as second-choice votes. Should this practice become universal we would of course be back again where we started, namely on the old plurality basis.

PROPORTIONAL REPRESENTATION

Countries
which
have
adopted
P. R.

Taking the world as a whole, by far the greatest amount of thought and experimentation on the representation of minorities has been undertaken by advocates of proportional representation. On the theoretical side this system has the powerful support given by the inventive genius of Thomas Hare and by the clear-

²⁵ The Nanson system, used in Marquette and Wakefield, Michigan, weights choices by giving the election to the candidate with the lowest vote after adding together first choices as one, second choices as two, and so on, thus registering a much more accurate result. It is exactly the same as the plan that has long been used by judges of college oratorical contests. For explanation of the Nanson system in detail, see C. G. Hoag, "Effective Voting," *Sen. Doc. No. 359, 63d Cong., 2d Ses., 1914.*

cut arguments advanced in John Stuart Mill's *Representative Government*. In 1932 proportional representation was in use for all important public elections of representatives in the *Irish Free State*,²⁶ Germany, Austria, Denmark, Sweden, Norway, Holland, Luxemburg, Bulgaria, Saar Valley, and Cuba; for parliamentary elections in *Malta*, Belgium, Switzerland, Greece, Czecho-Slovakia, Poland, Finland, Iceland, Esthonia, Latvia, Lithuania, Danzig, and San Marino; for some members of parliament in *Great Britain*, *Northern Ireland*, *South Africa*, *India*, *Costa Rica*, Portugal, Hungary, and Uruguay; for provincial elections in most of the countries listed above and in *Manitoba* (part), *Alberta* (part), *Tasmania*, and *Argentina* (part); for school boards throughout Scotland; and for municipal elections in Berlin, Vienna, Budapest, Geneva, Dublin, Cork, in half a dozen cities of Canada, Australia, and New Zealand, and in hundreds of other cities in the countries listed above. An electoral bill before the parliament of the newly established Spanish Republic also provides for the introduction of proportional representation.²⁷

In 1915 Ashtabula adopted proportional representation for the choice of the city council, the first public use of the system in the United States. The example of the Ohio city was followed by Boulder (Colorado), 1917; Kalamazoo (Mich.), 1918; Sacramento (California), 1920; West Hartford (Connecticut) and Cleveland, 1921; Cincinnati, 1924, to take effect 1926; Kansas City, 1925; and Hamilton (Ohio), 1926.²⁸ State supreme court decisions, which will be referred to later, upset P. R. in California and Michigan; legislative opposition stopped it in Connecticut; and Cleveland, after repulsing four previous attacks, voted out its P. R.—City Manager charter on November 3, 1931.²⁹

Adoptions
in the
United
States

²⁶ Countries italicized use the Hare system, others some form of the list system.

²⁷ See article, "What P. R. is and Where it is Used," in *Proportional Representation Review*, 3d series, no. 102, p. 31 (April, 1932).

²⁸ See articles by A. R. Hatton, "Making Minorities Count," *New Republic*, vol. v, p. 96 (Nov. 27, 1915), and "The Ashtabula Plan—the Latest in Municipal Organization," *Nat. Mun. Rev.*, vol. v, p. 56 (Jan., 1916); by W. H. Boynton, "Proportional Representation in Ashtabula," *Nat. Mun. Rev.*, vol. vi, p. 87 (Jan., 1917); and C. G. Hoag, "Proportional Representation in the United States," *Annals American Academy*, vol. cvi, pp. 105-110 (March, 1923).

²⁹ The vote was 61,448 against to 51,931 for the P. R.—City Manager charter. See "Cleveland Discards its P. R.—City Manager Charter" in the *Proportional Representation Review*, 3d series, no. 101, p. 3 (Jan., 1932).

However, Cincinnati, Hamilton and Boulder, Colorado, still retain the system.³⁰

Two forms
of P. R.

While the underlying principle of proportional representation is always the same, in practice it takes two forms known as the list system, which is the one generally employed in Europe, and the Hare or single transferable vote system, which is the one so far employed in the United States.³¹ The list system deals more or less frankly with party tickets, and it is safe to say that if American politicians looked into the subject they would prefer this form. Under the Hare system, on the other hand, the ticket is absolutely free from party emblems or designations of any kind.

Principle
of the
Hare
system

The principle underlying the Hare system has been explained with a simplicity approximating genius as follows :

"Imagine between five and six hundred people gathered in a park to elect a group of representatives, with the understanding that a

³⁰ See list in the *Proportional Representation Review*, 3d series, no. 102, p. 31 (April, 1932).

³¹ Under the former, "lists" which are in reality party or group tickets are placed in the field, and independents may also be nominated by petition. Each voter may vote for as many candidates as there are places to be filled. Usually each party knows its proportionate strength and limits the number of its nominees accordingly. Thus in a typical election of this sort which occurred in Basle in 1905, with sixteen seats to fill there were four party lists, one of ten, one of eight, one of three, and one of two candidates, with two others running independently. Summing up the votes cast for all candidates on each list, one arrived at the following result :

List I	6,318
List II	4,746
List III	3,209
List IV	1,593
1st Independent	1,014
2d Independent	318
<hr/>	
Total	17,198

This total is divided by the number of seats plus one (16 plus 1) to secure the electoral quota, which in the above case was 1,012. Dividing the votes, as stated above, by the electoral quota gives a quotient of 6 to List I, 4 to List II, 3 to List III, 1 to List IV, and 1 to the first Independent. This leaves one of the sixteen seats still to be assigned. It may be given to the ticket with the largest total vote—in this case List I; or to the ticket with the largest remainder—in this case List II. Other more refined methods of distributing the extra seat are also in use. After the proportionate number assigned to each party has been decided the candidates of that party with the highest individual votes up to the number so assigned are declared elected. Cf. the author's *Government and Politics of Switzerland*, pp. 349-364.

hundred voters will be sufficient to elect. The candidates raise their banners and the voters vote by grouping themselves about their favorites in person.

"Each voter goes at first to the banner of the candidate he likes best of all.

"But perhaps before all the voters have done so some candidate reaches the necessary 100. In that case other voters on their way to give him their support will see that he does not need it and pass on to help other favorites who are not yet sure of election.

"When all the voters have grouped themselves about candidates who actually need their help, the smallest group presumably breaks up: rather than waste their votes, they support others who have a chance of election.

"Then other groups break up one by one for the same reason. Each group stays together as long as there is a possibility of gaining from smaller groups, but when it is the smallest one left each member of it goes to help the candidate he likes best among those still in the running who need more votes.

"This process of gradual elimination continues till five candidates have reached the necessary 100, leaving less than that number all together for anyone else. The other candidates must then concede their defeat.

"In this way nearly all the voters have a real share in the election of the representative body."³²

So much for the principle underlying the Hare system. In practice it involves a number of technical details which have been explained by the Proportional Representation League as follows:

Hare
system in
practice

AN ILLUSTRATIVE ELECTION

Suppose the body to be elected is a municipal council, and suppose the charter of the city provides that the members are to be elected at large,³³ and all at once.³⁴ Suppose, also, for the sake of simplicity in explanation, that we consider an extremely small number of votes, 29, with a quota of 5 votes required for election. Either the number of members to be elected can be fixed by law in advance, in which case the quota will vary with the number of

³² Quoted from the *Proportional Representation Review*, third series, no. 90, p. 37 (April, 1929).

³³ They are elected at large in Cincinnati. In Cleveland they were elected from four districts, several from each. Election at large is to be preferred, when P. R. is used, even in large cities and under almost any conditions.

³⁴ When P. R. is used sufficient continuity of personnel in the representative body can be counted on without any arbitrary provision for overlapping terms.

votes cast,³⁵ or the quota can be fixed by law in advance, in which case the number of members elected will vary with the number of votes cast.³⁶

NOMINATIONS

No primaries are required: the preferential feature of the Hare system brings together the ballots of like-minded voters—far more effectively than a primary election can do it—so as to elect from each element or party those candidates who are really preferred by its voters.

It is usually prescribed that candidates shall be nominated by petition, the number of names required for each nomination being small enough to give reasonable freedom but large enough to prevent encumbering the ballot with useless names.³⁷ In connection with proportional representation it is reasonable to prohibit any voter from taking part in the nomination of more than one candidate.

BALLOT AND VOTING

Voting under the Hare system should be on a separate ballot.

The usual form of the ballot and the method of voting are shown below.

The figures in the squares show a ballot marked correctly by a voter who prefers Hoover to any of the other candidates, whose second, third, fourth, fifth, and sixth choices are respectively Hughes, Fess, Couzens, Norris, and Smith, and who has no choice among the other three candidates.

³⁵ This method of carrying out the system is the one that has hitherto been used almost exclusively. Mathematically the quota is derived in this case as follows. If five seats are to be filled the total number of valid ballots is divided by the number of seats plus one, *i.e.*, $29 \div 6 = 4 \frac{5}{6}$, which is rounded off to the next whole number above, namely 5. This means that with a total of 29 votes, and five seats to be filled, five is the smallest number of votes each of five candidates can secure certainly electing each of them and defeating any other candidates or candidate. Even if one other candidate alone remained and received all the votes not given to the successful five, he would have four votes only.

³⁶ This method of carrying out the system is now recommended by the P. R. League to any community that prefers it. Though it departs from custom in leaving the number of members in the council indefinite, it makes the counting of the ballots simpler to explain. Of course the principles of the election system are the same whichever of the two methods is prescribed.

³⁷ It may also be provided that in case a prescribed amount of money is deposited with the election authorities only a few names, say ten, shall be sufficient to nominate, with the understanding that the money deposited will be forfeited by the petitioners if the rest of the number of supporters required to nominate is not made up by the votes credited to him when the ballots are counted. This plan of nomination is used extensively in Canada and the British Isles.

DIRECTIONS TO VOTERS

Put the figure 1 in the square opposite the name of your first choice. You may also express second, third, and other choices by putting the figure 2 opposite the name of your second choice, the figure 3 opposite the name of your third choice, and so on. You may express thus as many choices as you please without any regard to the number to be elected.

Your ballot will be counted for your first choice if it can help elect him. If it cannot help elect him it will be transferred to the highest of your other choices whom it can help.

You cannot hurt the chances of any candidate you prefer by marking lower choices for others.

Do not put the same figure opposite more than one name.

If you spoil this ballot, return it for cancellation to the election officer in charge of the ballots and get another from him.

FOR THE COUNCIL

4	James Couzens
3	Simeon D. Fess
1	Herbert Hoover
2	Charles E. Hughes
5	George W. Norris
	Ruth Bryan Owen
	Henrik Shipstead
6	Alfred E. Smith
	Norman Thomas

Let us suppose that the ballots marked by the voters are as shown below. Each column shows the choices marked on one ballot.

No. of Ballots	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
Couzens..	1	1	6	4	...	2	4	...	3	4	...	4	...	4	...	3	3	...	...	...	...	5	4	5	4	4	5	...	...
Fess.....	...	1	1	1	...	4	2	3	...	3	...	3	3	...	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Hoover....	5	...	2	3	...	1	1	1	1	1	1	1	2	2	...	4	4	...	...	...	...	3	6	3	...	4	...	...	...
Hughes....	...	3	2	...	3	3	2	4	2	...	1	1	1	5	...	...	...	...	...	...	2	8	...	...	...	...	...	...	...
Norris....	3	2	4	5	...	...	5	5	2	5	2	4	5	...	1	1	1	3	2	...	3	7	3	5	3	3	...	...	...
Owen.....	2	...	...	...	...	...	...	...	...	...	...	...	...	...	6	...	...	1	1	1	...	6	2	2	2	2	...	...	...
Shipstead	4	...	5	...	...	...	...	4	...	...	...	...	6	...	2	2	2	...	...	1	1	...	...	...	...	...	...	2	...
Smith.....	6	...	...	...	...	...	...	...	...	6	...	...	...	...	8	5	...	2	3	2	...	2	1	1	1	1	1	...	...
Thomas...	7	...	...	...	...	...	...	...	...	...	...	...	...	...	9	6	3	...	...	...	...	5	4	...	...	...	...	...	1

THE COUNT

Immediately after the close of the polls the boxes containing the proportional ballots are sealed and removed to a central counting place, where they are counted in the presence of the candidates or their agents. The first step in the count is to sort the ballots according to the first choices marked on them. In case the ballots received by any candidate reach the quota that suffices for election, he is immediately declared elected. Any ballots marked for him as first choice that come to hand thereafter are passed on, each to the candidate marked on it as next choice among the candidates not already elected.³⁸ Any ballot on which the voter's first choice is not clear is set aside, of course, as invalid.

ELECTION OF HOOVER AND SMITH

In the present election Smith is declared elected as soon as ballots 24, 25, 26, 27, and 28 have been examined, and Hoover as soon as ballots 6, 7, 8, 9, and 10 have been examined. When ballot 11 is examined it is passed on to Hughes because Hoover is already elected and Hughes is marked on it as second choice. On the same principle ballot 12 is passed on to Norris.

The record of this "first count," as it is called, is shown in column 1 of the result sheet below. The figures in the other columns will be clear from the explanation of the entire count which follows.

TRANSFER OF THOMAS'S BALLOT

After the first count is completed, it is necessary to declare somebody defeated. As Thomas is the lowest on the poll, he is defeated.

³⁸ The more usual procedure has been to sort all the ballots according to first choices and then transfer the surplus ballots of candidates who have passed the quota. The simpler procedure here described is of course the same in principle.

The discerning reader will at once see that, unless steps are taken to remove it, there is an element of chance as to which of an elected candidate's ballots shall be left to elect their first choice and which passed on to others. This element of chance can be removed either entirely or partially by rules of varying complexity to make the ballots passed on a representative sample of the whole lot. In large elections, however, its elimination is not worth while, as in such elections the same candidates are almost sure to be elected whether chance is eliminated or not. And even if there should be a difference of one member, it would merely be a difference between two representative results, for it is clear that in either case the wishes of every voter would be respected. Precautions are always taken in the rules to prevent wilful discrimination on the part of election officials.

RESULT SHEET

	Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
	First Count	Transfer of Thomas's Ballot	Result	Transfer of Couzens' Ballots	Result	Transfer of Ship- stead's Ballots	Final Result	
Couzens	2		2	-2 Defeated				
Fess	3		3		3		3	Defeated
Hoover	5 Elected		5		5		5	Elected
Hughes	4		4		4	+1	5 Elected	Elected
Norris	4		4	+1	5 Elected		5	Elected
Owen	3		3	+1	4	+1	5 Elected	Elected
Shipstead	2	+1	3		3	-3 Defeated		
Smith	5 Elected		5		5		5	Elected
Thomas	1	-1 Defeated						
Exhausted						+1	1	
Total Valid	29		29		29		29	

first. His ballot (No. 29) is transferred to the candidate marked on it as next choice among the unelected candidates; if it were allowed to remain credited to Thomas, it would be wasted. The next choice marked on it is Shipstead. It is therefore transferred to Shipstead, as shown in column 2 of the result sheet. Shipstead now has 3 votes instead of 2, as shown in column 3.

TRANSFER OF COUZENS' BALLOTS

ELECTION OF NORRIS

As the lowest candidate is now Couzens, he is declared defeated and his two ballots (Nos. 1 and 2) are examined for next choices. Ballot 1, which shows a next choice for Mrs. Owen, is passed on to her; and ballot 2, which shows a next choice for Norris, is passed on to him, completing his quota and electing him. These transfers and their results are shown in columns 4 and 5.

TRANSFER OF SHIPSTEAD'S BALLOTS

ELECTION OF HUGHES AND MRS. OWEN

Glancing at column 5 we see that two candidates are now tied for lowest place, Fess and Shipstead. Which of them shall be declared defeated? The rule is that in such a case the counters shall declare defeated that one of the candidates tied at the bottom of the poll who attained his present number of votes latest in the course of the count.

Applying this rule we declare Shipstead defeated and examine his ballots for next choices. No. 22 goes to Hughes, electing him. No. 23 goes to Mrs. Owen, electing her. Mrs. Owen is the sixth choice on this ballot, but the first five are all either elected or defeated. No. 29 shows no next choice for a candidate who is still in the running; it is therefore set aside as an exhausted ballot. These operations are recorded in columns 6 and 7 of the result sheet.

END OF THE COUNT

As a glance at Column 7 shows, five candidates have now been elected, Hoover, Smith, Norris, Hughes, and Mrs. Owen, and the unexhausted ballots not used to elect them are not sufficient in number to make up another quota. The election is therefore ended.

The machine
under
P. R.

The Hare system makes primary elections unnecessary, thus effecting a large saving in both time and money.³⁹ In Ashtabula nominations were made by petition signed by 2 per cent of the voters. Machine rule is discouraged by the Hare system, since each voter may vote against machine candidates without the least danger of wasting his vote. He knows that even if his first choice is unsuccessful his vote will still help the most available among the remaining candidates. Under the present system a small but compact machine element may control nominations and swing elections, thus securing political power out of all proportion to its real strength. Under proportional representation all that the machine element, or any other group, for that matter, can get is precisely that proportion of the seats to which its voting strength entitles it.

Other advantages

Other advantages of the Hare system have been summed up as follows: "It reduces incentives to corruption; a few crucial

³⁹ The cost of a P. R. election is a little more than that of an ordinary plurality election. But it is much less than that of a plurality election and a primary both.

votes in close districts will no longer turn the scale. It makes the representation of localities as such possible, but not compulsory. It tends to allay social unrest by giving a fair hearing to all elements. It conduces to steady progress instead of to vacillation between extremes."⁴⁰ It wipes out all possibility of a gerrymander. "Under the Hare system a 10-per-cent fluctuation of public opinion in a city will produce only a corresponding change in the council, whereas under the common method a swing of 10 per cent may produce either a 100-per-cent overturn in the personnel of the governing body or no change at all."⁴¹

Proportional representation has been attacked on the ground that it leads to party disintegration. According to this argument the existing voting system has the advantage that it tends to place in power a definitely responsible majority party. Sometimes, indeed, it gives more seats to the majority party than it deserves. Even this is not an unmixed evil, for it enables the majority party to rule freely and strongly. If errors are made, the minority party will combat them with equal force and freedom. And if public favor shifts, the minority becomes the majority, also perhaps with more seats than it deserves, and thus stands ready in its turn to take the reins of government firmly in hand.

Criticism
of P. R.

From a conservative point of view the fundamental error of proportional representation is that it encourages every little faction and sect of politics to break loose on its own account. Strong majority and minority parties become well-nigh impossible. It must be admitted, however, that in those European countries which have had the longest experience with proportional representation under the list system, the major parties have not suffered to the extent that was predicted. In Swiss federal elections, for example, some of the smallest political groups were wiped out, a strong new Peasants party emerged, and for the first time Socialists received their due share of representation—the net result being that four larger parties now confront each other in national elections.⁴² On the other hand disintegrating forces ran riot for a time in Germany under the provision that

Does it
cause party
disintegration?

⁴⁰ *Pro. Rep. League Leaflet*, no. 5 (Oct., 1921).

⁴¹ *Short Ballot Bulletin*, vol. iii, no. 5, p. 2 (Oct., 1915).

⁴² See the author's *Civic Training in Switzerland*, ch. iii, for details on the P. R. elections of 1919, 1922 and 1925.

one representative shall be seated in the Reichstag for every 60,000 votes cast for a party list. As a result the "parade of parties lengthened out."⁴³ Nine of them were represented in the government of 1920, sixteen elected candidates in 1930, to say nothing of eleven other political "fractions" each too small to collect 60,000 votes in the country as a whole. However, the threat of dictatorship confronting the Reich in July, 1932, compelled a certain concentration of political strength, only thirteen parties securing seats and of these six alone having strength enough to count for much.

Coalitions
and bar-
gains

Under proportional representation government majorities tend to become coalition majorities. Now coalition majorities are usually formed by a few party leaders who confer together and make compromises in secret. Also under proportional representation the leaders of certain small groups—*e.g.*, prohibitionists—may be bound to one policy only, and are therefore free to make almost any log-rolling bargain with leaders of other groups. Critics of P. R. on this score maintain that its advocates err in regarding the legislative body merely as a mirror of public opinion; in fact it is the active will of the community which it represents.

Thus a system of proportional representation will exaggerate rather than remove those dangers which arise from the fact that governments may not be really representative. It is a method of election for securing the representation of fragments of political thought and desire, and for inviting those fragments to coalesce after and not before elections. . . . It is rather in accordance with the requirements of popular rule that a government should be supported by such a majority as makes it absolutely responsible for its actions, rather than that it should have to effect compromises and coalitions which do not reflect popular wishes or arise from popular demands.⁴⁴

Experience
with P. R.
in the
United
States

In the United States experience with proportional representation has been too brief and too limited to warrant the drawing of conclusions. From the few cities in which the system has been used most of the reports have been highly favorable. In spite of the alleged difficulty of counting ballots under the Hare system, all observers agree that it can be done rapidly and without

⁴³ George N. Shuster, *The Germans*, p. 58 (1932).

⁴⁴ J. Ramsey MacDonald, *Socialism and Government*, published by the I. L. P., pp. 164-167.

doubt or hesitation.⁴⁵ A good many voters, not all ignorant foreigners by any means, are said to spoil their proportional representation ballots by using cross marks instead of numerals; thus Atkinson reports that 10 per cent of the ballots cast in Ashtabula's third P. R. election were invalid. No doubt this large percentage was due to the fact that the voter had to cast eleven other ballots in the same election, all marked with the familiar cross. In the Sacramento election of May 3, 1921, only 305 ballots were rejected out of 12,607. That the Hare system gave wide representation to economic and national groups and to the various sections of the city of Ashtabula is conceded. Complaint was made in certain quarters that organized labor and the Italians had secured more representation than they deserved. One observer held that the council "is not a body that works smoothly. It lacks what may be called a sense of collective responsibility to the public."⁴⁶

A very real difficulty which may hinder to some extent the further development of proportional representation in the United States has been encountered in the adverse decisions of the highest courts of two states. In a case involving the home-rule charter of Kalamazoo (*Wattles vs. Upjohn*, 211 Mich. 514, 179 N. W. 335) the Michigan Supreme Court handed down a decision, September, 1920, holding that proportional representation violated a section of the state constitution providing "that no city or village shall have power to abridge the right of elective franchise." On October 23, 1922, the California Court of Appeals for the Third District decided (*People vs. Elkus*, 39 C. A. D. 279, 211 Pacific 34, Cal.) that the Hare system of proportional representation as provided by the new Sacramento charter was unconstitutional in that it violated the voter's constitutional right to vote at all elections. The "right to vote at all elections" was held to guarantee the right to vote for candidates for all offices to be filled. An amendment to the constitution of California designed to remove

Court
decisions
on P. R.

⁴⁵ Following the third Ashtabula election, the final count occupied only three and three-quarter hours. R. C. Atkinson, "Ashtabula's Third P. R. Election," *Nat. Mun. Rev.*, vol. ix, pp. 9-12 (Jan., 1920). It required sixteen hours to count 12,607 ballots in Sacramento, following the election of May 3, 1921. Of these, 6,159 were transferred. *Pro. Rep. Rev.*, third series, no. 59, *Supplement*, p. 8 (July, 1921).

⁴⁶ E. W. Crecraft, "Ashtabula's Attack on P. R. and the City Manager," *Nat. Mun. Rev.*, vol. ix, p. 623 (Oct., 1920).

this judicial veto passed both houses of the state legislature by the necessary two-thirds majority in 1931, but failed of adoption in the November election a year later. In Ohio, on the other hand, the system was upheld (*Reutener vs. City of Cleveland, Ohio Ct. App. 8th Dist., May 6, 1922*) on the ground that the constitution of the state had granted plenary powers to municipalities.⁴⁷ Another form of attack upon proportional representation developed in Connecticut. As was noted above the town of West Hartford in that state adopted the system for councilmanic elections in 1921, but in 1923 the legislature passed an act forbidding its use.

Future of
P. R.

On the whole, criticisms of the Hare system are not very damaging, some of them, indeed, amounting only to the pained recognition of the fact that it works out as democratically as its advocates said it would. Compared with the known and ancient evils of the plurality system, such few defects as have been discovered in the operations of proportional representation are of slight weight. There is every reason to wish for the new voting system a wide and thorough trial, particularly by progressive municipalities with commission or commission-manager government. If the results thus obtained prove favorable it may be extended to the election of state legislators and Congressmen throughout the country. Friends of the new system are confident that it will perform satisfactorily the processes both of nomination and of election at a single ballot. If so, proportional representation may prove the solution of the vexed problem of direct primaries, which—needless to say—would be a gain of tremendous importance.

BOOK NOTES

MUCH of the most valuable and most timely literature in this field has been issued by reform organizations such as the National Short Ballot Organization and the Proportional Representation League, both of which are now consolidated with the National Municipal League with offices at 309 East 34th Street, New York City. This literature, which is still obtainable at the address just given, should be made available on library reserve shelves or students may be

⁴⁷ A thorough review of the whole situation followed by constructive proposals is made by W. Anderson, "The Constitutionality of Proportional Representation," *Nat. Mun. Rev.*, supplement, vol. xii, pp. 745-762 (Dec., 1923).

encouraged to procure it for themselves. Classes or student organizations interested in political subjects will also do well to invite speakers representing these organizations to address them.

The short ballot is fortunate in possessing two such admirable expositions as R. S. Childs, *Short Ballot Principles* (1911), and *A. M. Kales, *Unpopular Government in the United States* (1914).

On the gerrymander the most thorough discussion is E. C. Griffith, *Rise and Development of the Gerrymander* (University of Chicago Thesis, 1907). An excellent brief discussion of this topic may also be found in P. S. Reinsch, *American Legislatures and Legislative Methods* (1913), pp. 199-213. Students should secure copies of the *Congressional Directory* and of the legislative manual of their state, in the apportionment maps of which they can search for examples of this practice.

B. F. Moore, *History of Cumulative Voting and Minority Representation in Illinois* (University of Illinois Studies, 1919), is a thoroughgoing study of these devices in the state which has had the most extended experience with them.

The case for proportional representation is admirably and thoroughly presented by *C. G. Hoag and G. H. Hallett, Jr., *Proportional Representation* (1926). G. Horwill, *Proportional Representation: its Dangers and Defects* (1926), should also be consulted. In this field J. H. Humphrey, *Proportional Representation* (1911), is the most detailed and authoritative work, Appendix VI of which discusses exhaustively the mathematical theory involved in proportional representation. J. R. Commons, *Proportional Representation* (2d ed., 1907), is of great value on the earlier development of the movement. In "Proportional Representation in Cleveland," *Pol. Sci. Quarterly*, Vol. XXXVIII, pp. 652-659 (Dec., 1923), R. S. Moley discusses the first election held under the new charter, making it the basis of some trenchant criticisms of this voting system. Cincinnati's experience is described by H. Bentley, "Why Cincinnati voted for Proportional Representation and a City Manager," *Nat. Mun. Rev.*, vol. xiv, pp. 69-74 (Feb., 1925), and by S. G. Lowrie, "Proportional Representation in Cincinnati," *Am. Pol. Sci. Rev.*, Vol. XX, pp. 367-371 (May, 1926). Recent articles of importance are as follows: J. P. Harris, "The Practical Workings of Proportional Representation in the United States and Canada," with tables in supplement, *Nat. Mun. Rev.*, vol. xix, pp. 337-393 (May, 1930); R. P. Goldman, "An Analysis of Cincinnati's Proportional Representation Elections," in *Am. Pol. Sci. Rev.*, vol. xxiv, pp. 699-710 (Aug., 1930); and J. McGoldrick, "Proportional Representation Critically Analyzed," in *American City*, vol. xliii, p. 96 (July, 1930).

CHAPTER XVII

INITIATIVE AND REFERENDUM

Various
duties of
the elec-
torate

IN EARLIER chapters we have noted the various duties devolved upon the electorate—first, by the elective process itself, and, second, by the making of nominations under the direct primary system. At about the same time that direct primaries were being introduced a third duty was imposed upon the electorates of many states by the adoption of various forms of direct legislation.

"I. and R."

Under purely republican government, lawmaking is wholly the work of representatives of the people. All forms of direct legislation have one element in common, namely that the people, or rather the electorate, may participate directly in the making of laws. Thus by the referendum a bill which has already received the approval of the legislative body may be overthrown by popular vote. And the initiative is essentially a device whereby the electorate may enact legislation against the will of the legislature. Thus the former is "a bit in the mouth, the latter a spur on the flanks of the legislative steed."

Logically
distinct;
commonly
adopted
together

While often coupled together in ordinary speech, and abbreviated jointly as the "I. and R.," the initiative and referendum are easily distinguishable in logic, and in practice may exist separately. Maryland and New Mexico, for example, have the legislative referendum, but not the initiative. During the earlier stages of the struggle for their adoption arguments were often advanced to show that, while the referendum was undesirable, the initiative was positively dangerous and revolutionary. Nevertheless, with few exceptions the two have been adopted or rejected together throughout the United States.

Forms of
direct
legisla-
tion

Our federal lawmaking process, both constitutional and statutory, has hitherto remained purely representative—that is, the electorate as such has had nothing to do with it directly. At the present time, however, the effort to repeal the Eighteenth Amendment is being made by conventions popularly elected under conditions that approximate as closely as possible the referendum

principle. On the other hand, in our states direct legislation has long existed in two forms—first, as applying to constitution making or amendment, and, second, as applying to ordinary legislation.

DIRECT LEGISLATION : CONSTITUTIONAL

Amendments to state constitutions were proposed originally in three ways, but with the few exceptions noted below approval of the electorate is always required for their adoption.¹

Amend-
ments to
state con-
stitutions

(a) The first way in which constitutional amendments may be proposed is by constitutional convention. In New Hampshire this is the only authorized method of amendment. The constitutions of three-fourths of the states provide for it either expressly or by implication. In all but one of the remaining twelve states, it is the generally accepted view that the legislature may call a constitutional convention in spite of the fact that the existing constitutions are silent on the subject.² It is becoming an almost invariable rule that the work of constitutional conventions must be submitted to the people for ratification. The only exceptions in the last quarter century occurred in Virginia (1902), and Louisiana (1913, 1921). America may claim credit for the invention of this form of referendum, the first case on record being the adoption of the constitution of Massachusetts in 1780.

(b) Second, constitutional amendments may be proposed by the legislature in every state except New Hampshire. In every state except Delaware amendments so proposed must be submitted to popular vote. With the exceptions noted constitutional amendments originating either with legislatures or with constitutional conventions go before the electorate automatically, no petition or other effort being necessary to secure their submission. Referendum votes of this kind are commonly designated as compulsory or obligatory.

(c) In 1902, Oregon adopted a third method of constitutional amendment, that of popular initiative, which has subsequently

¹ J. W. Garner, "Amendment of State Constitutions," *Am. Pol. Sci. Rev.*, vol. i, pp. 213-247 (Feb., 1907).

² In Rhode Island the supreme court has held that since the constitution of that state makes no provision for a constitutional convention, there is no legal way in which such a convention can be held. Ogg and Ray, *Introduction to American Government*, p. 565; 14 R. I. 649 (1883).

been introduced in thirteen other states. This method requires the collection of the signatures of a certain number or percentage of qualified voters to a petition. If upon compliance with this requirement the proposed amendment goes at once to the people for final decision, it is known as the direct initiative. If, on the other hand, the petition is referred to the legislature for acceptance or modification before final action, it is known as the indirect initiative.³ All fourteen of the states having the constitutional initiative are located west of the Mississippi, except Massachusetts, Michigan, and Ohio. It is significant that the former two have accepted it in the indirect form.

DIRECT LEGISLATION : STATUTORY

Extension
of statu-
tory I.
and R.

Although the constitutional referendum is an American invention, the statutory initiative and referendum as adopted by our states beginning with South Dakota in 1898, were imitated from Swiss models—a clear “case of democratic contagion,” in the words of Professor Rappard. Following the initial action of South Dakota the progress of direct legislation was slow until 1908. From the latter year to 1914, inclusive, however, fourteen states introduced the statutory initiative and referendum. Since 1914 there have been only two adoptions, both closely restricted in operation. Twenty-two states now have the statutory initiative and referendum, but the movement in favor of direct legislation seems to be at a standstill, for the present at least.⁴ The

³ States having the constitutional initiative, with dates of adoption, are as follows (those with the indirect form italicized): Arizona, 1911; Arkansas, 1910; California, 1911; Colorado, 1910; *Massachusetts*, 1918; Michigan, 1913; Mississippi, 1914; Missouri, 1908; Nebraska, 1912; Nevada, 1904; *North Dakota*, 1914; Ohio, 1912; Oklahoma, 1907; Oregon, 1902. In Mississippi the operation of the initiative was suspended until the official declaration of its adoption was made by the state supreme court in 1917. Michigan changed to direct form in 1913.

⁴ States having the statutory initiative and referendum, with dates, as follows: South Dakota, 1898; Utah, 1900-17; Oregon, 1902-06; Nevada, 1904-12; Montana, 1906; Oklahoma, 1907; Maine, Missouri, Michigan, 1908; Arkansas, Colorado, 1910; California, New Mexico (referendum only), Arizona, 1911; Idaho, Ohio, Nebraska, Washington, 1912; Mississippi, North Dakota, 1914; Maryland (referendum only), 1915; Massachusetts, 1918. The following states have the statutory but not the constitutional initiative: South Dakota, Utah, Montana, Maine, and Washington. In New Jersey the constitution (art. iv, § vi, 4) provides that the legislature shall submit questions involving the creation of state debts for civil purposes in excess of \$100,000 to popular vote.

Illinois constitutional convention of 1920 was distinctly opposed to any form of the initiative and referendum.⁵ Only five of the twenty-two I. and R. states are east of the Mississippi.

Regardless of sectional lines, however, the initiative and referendum have been widely adopted by cities, particularly in connection with the commission and city-manager plans of municipal government. In a few states also the legislative and administrative actions of counties and other local government districts are made subject to popular vote.

With the large legislative output characteristic of American states and cities, it was inevitable that the statutory referendum should take the facultative or optional form; in other words, that it should operate only upon petition signed by a certain number or percentage of voters. Requirements of this character should be large enough to prevent constant interference with legislation by small minority groups. On the other hand, it is possible to make the stated number or percentage of signatures so high that recourse to the referendum would be practically impossible. As between these two extremes the actual percentages, based upon the vote cast for some specified office, such as governor or secretary of state at the last preceding election, range for the statutory referendum from 5 to 10 per cent, the tendency being toward the higher requirement.⁶ For referendum petitions Maine and Maryland each make a flat requirement of ten thousand signatures; Massachusetts of the same number in case the law is not to be suspended pending the vote, and of 15,000 signatures if suspension is requested. On the basis of the presidential vote of 1932 these requirements amount to less than 4 per cent in Maine,

I. and R.
in local
govern-
ment

Optional
referen-
dum peti-
tions

Some of the direct legislation states also have constitutional provisions requiring the submission of certain questions to popular vote without popular petition; others permit the legislatures to refer questions to the people without petition.

⁵ Cf. *Am. Pol. Sci. Rev.*, vol. xv, p. 258 (May, 1921). Illinois has a "Public Opinion System," established in 1901, the votes taken under which are advisory merely. Experience with purely advisory votes of this sort shows that the electorate, realizing their futility, takes little interest in them.

⁶ C. O. Gardner, "Problems of Percentages in Direct Government," *American Pol. Sci. Rev.*, vol. x, pp. 500-514 (Aug., 1916). With the exception of Maine all states required 5 per cent for referendum petitions prior to 1911, but since that date Ohio and Washington fixed 6 per cent, and Nevada, Nebraska, and New Mexico, 10 per cent. In local governments referendum percentages run 5 or more per cent in excess of state referendum requirements. It is, however, easier to get signatures in cities than in rural districts.

2 per cent in Maryland, and 1 per cent in Massachusetts. Under manhood suffrage in the presidential election of 1916 the corresponding percentages would have been 7.3 per cent for Maine, 3.8 per cent for Maryland, and 1.9 per cent for Massachusetts.

Initiative
petitions

In the nature of the case the initiative, whether constitutional or statutory, must start out with a petition. The percentages fixed are usually higher than those required for referendum petitions. For constitutional amendments they range from 8 per cent in Oregon to 15 per cent in Oklahoma. For statutes from 5 to 10 per cent are ordinarily required. Ohio permits a bill to be brought before the legislature (indirect legislative initiative) by a 3-per-cent petition. If the legislature refuses to act favorably upon it an additional 3 per cent is required to force its submission to the electorate. Massachusetts has a somewhat similar arrangement requiring 20,000 signatures for the first step, and 5,000 additional for the second. In Maine a statutory initiative petition must be signed by 12,000 voters. Massachusetts requires 25,000 signatures for a constitutional initiative.

Distribu-
tion of
signatures

Although relatively low percentages are fixed by rural western states, it is markedly difficult to procure them. On the other hand, the higher requirements fixed in states with a considerable urban population are more easily met. Along with the tendency to increase percentages noted above, there is a tendency to require a considerable geographical distribution of signatures. Thus the Nebraska law of 1912 requires 5 per cent in two-fifths of the counties, and the Ohio provision of the same date prescribes that one-half of the percentages must come from one-half of the counties of the state.

Percent-
age and
absolute
require-
ments

As between percentage and absolute number requirements the latter are more definite, but the former have the advantage of keeping pace with increases in the size of the electorate. When large increases take place a fixed requirement becomes relatively much easier to meet. Thus 25,000 signatures, the maximum initiative requirement of Massachusetts, would have amounted to 4.7 per cent of the presidential vote cast in that state in 1916. It is, however, only 2.5 per cent of the vote cast four years later after women had been enfranchised. Whether or not it was the intention of those who enacted the Massachusetts amendment to set up the easiest requirements as to petitions in the United States, ex-

actly this result has followed since the establishment of woman suffrage.⁷

As we have already noted, direct primary petitions are usually circulated by candidates, their agents, or campaign committees. They are inspired by personal self-interest to a degree leading at times to sharp practice and crime. Initiative and referendum petitions deal with issues, and hence the immediate personal ambitions of their backers are not enlisted to so great an extent. Nevertheless, the same abuses occur and the same legal safeguards are necessary as in the case of nominating petitions.⁸ Initiative and referendum petitions are circulated either by the agents of permanent bodies such as reform organizations or labor unions, or by individuals or committees acting on their own account or in behalf of temporary groups formed for the purpose of pushing certain measures. Actual solicitors of signatures may contribute their services for the good of the cause or they may be hired agents specializing in this kind of business. Undoubtedly many persons sign petitions thus presented to them without due consideration, out of complaisance or, it may be, merely to get rid of the solicitor. On the other hand, certain voters are as conscientious in the performance of this as of their other public duties.

Persons
and groups
circulating
petitions

Because of the perfunctory and commercialized character of much of the work connected with the securing of signatures it has been suggested that petitions should not be circulated, but should be left in some centrally located place where voters might have access to them. "Each signer should be sufficiently interested to go to some public office and sign the petition, not wait to have it shoved into his hand with a 'sign here' from a five-cents-a-name getter."⁹ It is as hard to quarrel with this counsel of perfection as with its twin brother, namely that "office should seek the man, not the man the office." If adopted, such a rule would effectually bar many measures from the ballot, unless at

Proposed
restriction
on the cir-
culation of
petitions

⁷ G. H. Haynes, "How Massachusetts Adopted the Initiative and Referendum," *Pol. Sci. Quar.*, vol. xxxiv, pp. 454-475 (Sept., 1919).

⁸ F. W. Coker, "Safeguarding the Petition in the Initiative and Referendum," *Am. Pol. Sci. Rev.*, vol. x, pp. 540-545 (Aug., 1916); and W. A. Schnader, "Proper Safeguards for the Initiative and Referendum Petition," *ibid.*, pp. 515-531.

⁹ Quoted by J. D. Barnett, *The Operation of the Initiative, Referendum and Recall in Oregon*, p. 213.

the same time the number of signatures required was greatly reduced. Or at times when exceptionally interesting issues came up it would lead to the organizing on a large scale of every possible means of transporting voters to the offices where petitions were left for signature.

Proposed
substitute
for peti-
tions

Instead of the expenditure of money and effort in large amounts to secure signatures, it has been suggested that proponents of a measure should be permitted to have it submitted to the people upon deposit of a sum sufficient to send to every voter in the state explanations and arguments on the subject.¹⁰ If the measure were adopted at the polls the money might be returned to the contributors. Without the remission of signatures this proposal is partly realized already in those states which require proponents of measures to contribute toward the cost of publicity pamphlets.

Use of
I. and R.

Taking the country as a whole, requirements as to petitions have not been so onerous as to prevent free use of the initiative and referendum. From 1904 to 1926 there have been 214 constitutional initiatives, 69 of which, or 32 per cent, were adopted; and 216 legislative initiatives, 87 of which, or 38 per cent, were adopted. During the same period 173 laws were submitted to referendum vote by petition, of which 64, or 37 per cent, were adopted. The above figures do not take into account amendments drafted by state constitutional conventions or by legislatures which go before the electorate automatically. Such measures are much more common than those which require the circulation of petitions: during the seven years from 1919 to 1925, inclusive, more than six hundred of them appeared on the ballots of the forty-eight states.

Amend-
ment of
state con-
stitutions

Amendment of state constitutions is a periodic industry. Thus the number of amendments submitted to vote of the people in the various states numbered 37 in 1919; 237 in 1920; and 46 in 1921. The tendency is strong to avoid special elections and submit them at the regular November elections in even numbered years. This practice has the advantage of avoiding expense, but it has the decided disadvantage of adding to the length of a ballot already at its maximum with names of candidates for national, state, and local offices. In the presidential election of 1932 the number of measures of all sorts submitted to the electorate was somewhat

¹⁰ A. N. Holcombe, *State Government in the United States*, p. 497.

lower than usual, being about one hundred and fifty for all the states.

Figures dealing with the country as a whole are useful to convey an impression of the mass use of the initiative and referendum, but they are apt to convey an exaggerated impression of the difficulties imposed upon the voter at a single election. That these are monumental at times there can be no question. Thus the Ohio Constitutional Convention of 1912 and the Nebraska Constitutional Convention of 1920 each placed forty-one amendments before the voter to be decided at a single election. Without attempting to disparage the difficulties of the task thus shouldered upon the voters, it is nevertheless worth noting that there is apt to be little difference of opinion about most of the questions submitted by a constitutional convention. In the Ohio case of 1912 all but eight of the amendments carried; in the Nebraska case of 1920, all forty-one carried. Fortunately recent figures are much less excessive. In 1932, the California ballot carried twenty constitutional amendments; Louisiana was second with seventeen; and each of twenty other states presented from one to sixteen amendments to their voters. Taking the country as a whole it is not the case even in presidential elections that the ballots are overloaded with initiative and referendum proposals in more than a quarter or a third of the states.

Mass use
of I. and
R.

The overloading of ballots is not always to be blamed upon the ease with which petitions may be circulated. As we have already noted many of the questions submitted are placed before the electorate by constitutional conventions or legislatures. For example, of the forty-eight measures on the record-breaking California ballot of 1914, twenty-two were originated by the legislature. In most of the states which complain of overloaded ballots, the real cause of the difficulty is to be found not in the manner of submitting amendments, but in the fact that their constitutions are abnormally long and detailed. Such constitutions contain much legislation that is really of statutory rather than of constitutional importance. Development of new needs, due to the growth of population and business, forces constant and numerous changes which under existing provisions must go to the people for final decision.

Responsi-
bility for
overloaded
ballots

One way of meeting this difficulty would be to exempt constitutional amendments adopted by conventions and legislatures

Proposed
solutions

from popular vote except in those cases where sufficient opposition was manifested by petitions against them—in other words, to substitute the optional for the compulsory referendum in this field. A more fundamental solution would involve the rigorous shortening and simplification of the constitutions themselves. The latter method involves rather sweeping changes in state government, particularly an improvement in the character of legislatures.

Public interest in
direct
legislation

No question regarding direct legislation is more important than the amount of public interest taken in it, as shown by the vote on various issues. For 1924, participation on initiative and referendum measures may be compared with the presidential vote, the highest available standard. In that year out of the one hundred and seventy-five constitutional amendments submitted by legislatures and constitutional conventions, one hundred and seven were voted upon by less than 50 per cent of those who went to the polls. Only eleven received 75 per cent of the vote cast. At the same election fourteen laws were submitted upon petition, the lowest participation on which was 53.5 per cent. Only three of them fell below 75 per cent. Opponents of the initiative and referendum are accustomed to make much of the low percentages sometimes recorded on measures. The argument applies with equal force, however, to those not infrequent cases in which members are elected to legislatures with less than a majority vote behind them, also to the passage of bills when less than a quorum is present. With few exceptions most of the cases of low participation in 1924 occurred in connection with measures referred automatically to the people—that is, constitutional amendments adopted either by constitutional conventions or by legislatures.¹¹ Initiative and referendum votes of 1928 and 1932 abundantly confirm the conclusion reached by an earlier investigation, namely that people take more interest in questions requiring the preliminary circulation of petitions than in questions which are referred to them without any action on their part.

High percentages

Statistics of recent initiative and referendum votes show that

¹¹ H. W. Dodds, *op. cit.* For recent developments see D. Y. Thomas, "The Initiative and Referendum in Arkansas Comes of Age," and C. I. Winslow, "The Referendum in Maryland," both in *Am. Pol. Sci. Rev.*, vol. xxvii, pp. 66, 75 (February, 1933).

the greatest public interest is manifested in prohibition measures. Amendments or laws dealing with public utilities or with the direct primary are next in order. Measures touching the pocket books of the people—bond issues, expenditure of public moneys, salary bills—often show a participation in excess of 75 per cent. It happens at times that voters are more interested in initiative issues than in candidates. Thus a very remarkable record was made by North Dakota in 1920. Each of five legislative measures placed upon the ballot of that state by direct initiative received a vote equal to 109 or 110 per cent of that cast for the Presidency in the same election. These measures were aimed at cherished economic policies of the Non-partisan League, hence the phenomenal participation. All were carried by majorities ranging from eight to sixteen thousand out of a total vote of two hundred and twenty thousand. In Michigan an amendment of 1920 making school attendance compulsory between five and sixteen years of age and abolishing parochial schools was defeated after a bitter fight by a vote of 610,699 to 353,817, which amounts to 92 per cent of the presidential vote cast the same day.

Ever since the adoption of the 18th Amendment wets and dries have been fighting each other vigorously by means of the initiative and referendum, all later returns strongly favoring the former. In 1922 an Ohio measure of this type received 1773 more votes than were cast for the gubernatorial candidates, the dries winning by a large margin. Four years later Montana repealed its state enforcement act, the participation being 105.6 per cent. From 1920 to 1932 votes ranging above 80 and even 90 per cent were recorded on measures of this type.¹² Public utility measures fell only slightly below these figures, with primary election measures in third place.¹³

Charges are sometimes made that selfish interests spend large sums of money to secure a favorable vote on initiative and referendum measures. In the campaign over the Michigan anti-parochial school amendment mentioned above, \$300,000 was alleged to have been spent for, and \$500,000 against, its adoption.¹⁴

¹² For numerous illustrations cf. S. Lewis, *Party Principles and Practical Politics*, p. 413.

¹³ For figures on recent primary election measures see ch. x above.

¹⁴ *World Almanac*, 1922, p. 458.

Such cases, however, are exceptional. According to a news report of August, 1923, a special committee of the California Senate recently reported that \$1,081,784 had been spent on the seven most important initiative and referendum measures at the last election. Considering the 1,200,000 voters to be reached in that state, however, this amount cannot be considered excessive. Direct legislation measures never involve so many interests, nor do they enlist personal ambitions so directly, as do general election campaigns involving a large number of candidacies. Propagandists for such measures may spend considerable sums for "educational purposes," but they are seldom accused of buying votes. Nevertheless, the states are beginning to apply the principles of the Corrupt Practices Acts in this field. Thus California requires that all persons and organizations expending money for or against referred measures shall file a statement within twenty days after the election.¹⁵ These statements are to be published. Violations are made subject to a fine of \$1,000.

Oregon's
experience

While not the first to adopt the initiative and referendum no state has used these tools of direct democracy more vigorously than Oregon. Its experience has recently been reviewed by Professor Waldo Schumacher who finds that from 1902 to 1930, two hundred and sixty-two measures were submitted to the people, all but forty-eight of them at general elections.¹⁶ This would be at the rate of nine or ten each year, certainly a rather heavy burden. It is noteworthy that the simpler the question proposed the greater the vote. There is considerable guessing on many of the measures submitted, the tendency being to vote "no" when in doubt.¹⁷ Approximately 75 per cent of the registered voters participate on initiative and referendum questions although at times as many as 40 per cent fail to indicate a choice, apparently because they feel themselves incompetent to decide matters of too complicated a character. Many proposals are adopted or rejected without any decisive public opinion one way or the other. More than two-thirds of the proposals are decided by minorities. It is not to be wondered at therefore that amendments and meas-

¹⁵ Cal. L. 1921, chap. 583. Cf. also V. J. West, "1921 Legislation on Elections," *Am. Pol. Sci. Rev.*, vol. xvi, p. 464 (Aug., 1922).

¹⁶ See reference in Book Notes at end of this chapter to articles by Professor Schumacher.

¹⁷ The same tendency is noted in Switzerland, the classic land of the I. and R. On these *Neinsagers* see the author's *Civic Training in Switzerland*, p. 115.

ures adopted one year are sometimes repealed the next year owing to a small shift of sentiment or perhaps to a different wording of the question. Proposals submitted at a special election have a better chance of adoption than those submitted at a general election, one reason being that fewer voters turn out for the former. On the whole Professor Schumacher considers the legislature a better interpreter of the popular will than the groups sponsoring direct legislation. It is evident that the people of Oregon acting as legislators by means of the I. and R. commit many of the errors common in representative bodies. Possibly, however, the conduct of the legislative houses of that state is somewhat improved due to the power of the people to participate in the process of making laws.

At the November election of 1932 some one hundred and fifty constitutional amendments and ordinary legislative initiative and referendum proposals were submitted in various states. The number was not so large as in earlier presidential campaign years,¹⁸ nevertheless there was no falling off in public interest. As was to be expected many of the measures brought forward in 1932 reflected the prevailing depression. In sixteen states the voters were called upon to assist the unemployed by means of various tax levies or by bond issues, the latter aggregating \$105,700,000. New York led the list with an issue of \$30,000,000. Several large bond measures carried sums for the construction of bridges, highways, and public works generally. Among other fiscal bills voted on were the following: in Arkansas a one per cent sales tax on all merchandise except farm products in the hands of the original producer; in Idaho an occupation and privilege tax; and in Oregon an increase of the personal income tax from 5 to 8 per cent. Also six states—Alabama, Colorado, Idaho, Indiana, Minnesota and Washington—proposed the enactment or sought authority to enact income taxes. Next in order to fiscal proposals were prohibition measures. Eight states—California, Colorado, Louisiana, Michigan, New Jersey, North Dakota, Oregon and Washington—voted to repeal their enforcement acts.¹⁹

I. and R.
in 1932

¹⁸ In 1920 the number was 218. For later details see R. S. Boots, "The Initiative and Referendum in 1923 and 1924," in *Nat. Mun. Rev.*, vol. xv, pp. 42-65 (1926).

¹⁹ Five states—New York in 1923, Montana and Nevada in 1926, Wisconsin in 1929, and Massachusetts in 1930—had already repealed their state enforcement acts. Maryland always refused to pass a law of this character. The

Four other states voted in 1932 upon measures involving prohibition—Connecticut, Louisiana and Wyoming on proposals looking toward the repeal of the 18th Amendment, and California on a proposal empowering the legislature to regulate the sale of liquor by retail stores, provided the state enforcement law was repealed. Finally a variety of miscellaneous issues were submitted to the electorate, as follows: in Michigan an amendment taking away the governor's power to extend clemency to first-degree murderers; in Missouri an amendment authorizing old age pensions; in North Dakota an initiative measure proposing a three-year partial moratorium on private debts; in Massachusetts a referendum advising ratification of the "lame duck" amendment to the federal Constitution; and in California measures dealing with boxing, horse racing, proportional representation and the operation of city and county governments.

News-
papers
and the
I. and R.

Incomplete as are the above citations they may serve to convey some idea of the scope of the direct legislation measures now being brought before the people of many states for decision at every election. Manifestly the value of the popular verdict depends upon the extent of popular information on the issues thus presented. Newspapers are helpful in this connection, but they are likely to confine their attention to the more sensational questions. Especially when a long list of measures is submitted this source of information is very unsatisfactory. Publication in newspapers of the text of measures to be submitted is required by law in a number of states, but usually such publication attracts little attention.

PUBLICITY PAMPHLETS

Prepara-
tion and
distri-
bution

To meet the need for more complete data, particularly for arguments, pro and con, twelve states have passed laws providing for official bulletins of information, more commonly known as publicity pamphlets or voters' text-books.²⁰ Oregon, which was

population of the fourteen states now or soon to be without enforcement acts is nearly 35 per cent of that of the United States as a whole.

²⁰ Measures pamphlets should be distinguished from candidates pamphlets, described in chap. xiii. The states which have enacted laws providing for measures pamphlets, with dates, are as follows: Oregon and Montana, 1907; Oklahoma, 1908; California, 1909; Arizona, 1912; Colorado, Nebraska, Ohio, and Washington, 1913; Utah, 1917; North Dakota and Massachusetts, 1918. In Colorado, however, the Act was made conditional upon the repeal of a

the pioneer in this as in so many other political fields, limited the presentation of arguments in favor of initiated measures to the persons or groups responsible for bringing them before the public. Otherwise discussion was left without restriction. As a very unfortunate consequence the publicity pamphlets of Oregon and of other states which follow the same plan frequently appear with arguments on one side only of a measure, or even without arguments on either side of certain measures. Oklahoma and California remedied this defect by requiring that one argument for and one against should accompany each measure. In the latter state the affirmative argument is prepared by the author of the bill or by some other member of the legislature who voted in favor of it. The negative argument is prepared by some member who opposed it. Massachusetts provides for the printing and sending to all voters in the state of the reports of majority and minority members of the legislative committee on each measure together with the names of the members so reporting, the vote in the legislature as a whole, and such other information and arguments as may be provided for by law.²¹

All costs of publicity pamphlets are met by the state in Oklahoma, California, Washington, Ohio, and Massachusetts. In five other states they are divided, the state usually paying for distribution, the persons or groups submitting arguments for the cost of printing and paper. North Dakota charges a fee of \$200 per page. In the other states following this policy the actual costs, which are heavy, are collected from persons or organizations preparing arguments. Of course the financial burden thus entailed acts as a bar to the submission of too many or too lengthy arguments. States which pay all costs necessarily limit the number and length of arguments. Thus in California the maximum length of an argument is five hundred words and in Ohio three hundred, unless persons presenting it pay for excess space. Most of the work in connection with publicity pamphlets is intrusted to the secretary of state. This includes printing and also distribution to

Costs of
publicity
pamphlets

section of the constitution conflicting with it, and, as this has not been done, no pamphlets have been issued. In 1921, Oklahoma decided to use pamphlets only when they are cheaper than newspaper publication of the same materials. In Ohio, Oregon, and a few other states measures pamphlets are used also in city and county elections.

²¹ *Acts and Resolves, 1919*, pp. 52-62.

each voter in the state a sufficient length of time before elections to permit study of their contents.

Length of
pamphlets

In size measures pamphlets may vary from post cards as in Ohio, to small pamphlets or treatises of considerable length. The California issue of 1920 was "a slight thing of 80,000 words."²² Cost of publication and distribution is the chief argument of those opposed to publicity pamphlets, whether of the measures or candidates variety. In a message approving the law of 1917, changing from pamphlet to newspaper publication of measures and arguments, Governor R. L. Williams of Oklahoma presented a detailed comparison of the costs of the two forms of publicity. He reached a conclusion in favor of publication by two newspapers in each county unless more than five issues were to be voted upon at the same time, in which case the pamphlets would be cheaper. Under newspaper publication, however, there is no guaranty that every voter will be reached. In 1922, the California legislature appropriated \$50,000 for expenses in connection with pamphlets on the issues to be voted upon in November of that year. With over a million voters in the state to be reached, however, this represents a per capita cost of less than five cents.

Value of
pamphlets

Opinion of voters and officials as to the value of publicity pamphlets seems to be about evenly divided in the states issuing them, with a slight balance in favor of their continuance.²³ No doubt they have a higher utility in sections of the country which do not possess a metropolitan newspaper press than elsewhere. Some of the arguments printed in states where there are no limitations as to length would seem to be too prosy for the best effect. On the other hand, sarcasm or ridicule seldom makes its appearance in measures pamphlets except in connection with a few instances, such as woman suffrage or the fishing rights issue in Oregon. Most of the arguments are dignified and well expressed. In California, which has developed the best type of pamphlet, Professor Holcombe finds that a much higher percentage of participation on measures has been recorded since they have been distributed. It is his opinion that an official bulletin such as is used in that state "will materially help to arouse the interest and inform the intelligence of the voters." In Colorado as well as in

²² T. H. Reed, *op. cit.*, p. 390.

²³ R. W. Slocum, *Publicity Pamphlets*, Swarthmore College thesis, 1922.

California a considerable increase of participation followed the introduction of publicity pamphlets.²⁴

Various methods have been suggested to discourage the overloading of the ballot with initiative and referendum proposals, although it must be remembered that the chief offenders in this particular are not the circulators of petitions, but legislatures and constitutional conventions. Thus it has been suggested (1) that the number of signatures necessary to place a measure on the ballot be increased; (2) that the majority necessary to adopt proposals, or certain kinds of proposals, be increased; (3) that the number of measures submitted in any one election be limited; (4) that measures once defeated be kept off the ballot for a certain number of years; and (5) that certain kinds of proposals be barred permanently as subjects of direct legislation.

Methods to discourage overloading of ballots

With regard to the proposal to require something more than a majority of the vote cast, it may be noted that various provisions of this kind are already in effect. In Massachusetts an initiated amendment must secure not only a majority of the votes cast on it, but also 30 per cent of the votes cast at the election. Washington, Nebraska, and New Mexico have similar requirements, stipulating 33, 35, and 40 per cent, respectively. Ordinarily the lowest of these percentage requirements is not difficult of attainment. Quite the reverse is true in New Hampshire, which, for the adoption of an amendment, requires a two-thirds vote of the electors voting thereon. As a result six amendments submitted in that state, November, 1920, which, out of a total vote averaging seventy-five thousand, received majorities of from four to twenty-one thousand, nevertheless all went down to defeat. Rhode Island requires a three-fifths vote. Five states make the requirement that a majority of the electors of the state, or a majority of all voting at the same election for some specified office, shall be required to carry an amendment.²⁵ In the former case this throws the weight of the stay-at-home element, in the latter the weight of those who vote on candidates and neglect measures, against the proposal.

Requirements in addition to majority vote

Naturally these requirements are fatal to many proposals which

Results of these requirements

²⁴ For statistics see A. N. Holcombe, *State Government*, p. 500.

²⁵ Arkansas, Minnesota, Mississippi, Oklahoma, and Wyoming. In Oklahoma, however, this applies only to initiated measures. Nevada makes this requirement for laws submitted under the referendum.

nevertheless secure a majority of the votes actually cast on them. In November, 1920, six measures out of fifteen failed on this ground in the five states having these requirements. The most striking of these cases occurred in Minnesota, where three other amendments were adopted by the requisite majority vote of 398,978 each, whereas a fourth, providing for graduated income taxes, failed in spite of a vote of 331,105 for to 217,558 against. It is evident that the more stringent of these majority requirements really foster conservatism and minority rule.

Special
and gen-
eral elec-
tions

In some states it is possible to evade this requirement of a majority of votes cast at an election by holding special elections to pass on initiative and referendum measures. But special elections are expensive affairs; in 1933, for example, the total cost of one for the state of Pennsylvania was estimated at slightly less than \$1,000,000. In general elections the high mortality of initiative and referendum measures under a majority requirement is due in large part to the tendency of voters to vote a straight ticket for candidates, ignoring the measures printed at the bottom of a blanket ballot. However, ten states print initiative and referendum proposals on a separate ballot, a plan which has the advantage of calling them to the voters' attention. In Ohio the parties in state convention assembled are permitted to indorse or protest amendments.²⁶ A single cross mark in the party column then counts for all the candidates of that party and for or against the amendments, as the convention has decided. In practice this means that the party which dominates the legislature approves the amendments it proposes. As a result the electorate is converted into a huge rubber stamp and enormous totals are rolled up in favor of measures of the very existence of which many voters so recorded were quite ignorant.

Ballot
titles of
I. and R.
measures

In printing ballots all the states quote referred measures by the title, most of them giving enough information in this way or by adding a brief summary, to inform the voters as to the main features of the proposals to be voted on. The ballots used in 1920 however revealed four cases where quotation by title only was so brief as to give no real information to voters;²⁷ however this fault has become much less common in recent years.

²⁶ Nebraska had a similar provision which proved so unsatisfactory that it was repealed in 1925.

²⁷ Arkansas, Florida, New York, and Utah.

It is alleged that in more than one western state the attorney-general has so phrased ballot titles as to confuse the whole issue.²⁸ The Oregon ballot gives the names of initiators as well as the substance of measures. In a few states the text of amendments is printed in full on the ballot. Iowa is a case in point. A separate sheet and differently colored paper from that of the candidates' ballot is used in that state. In Mississippi proposed amendments are printed in full at the bottom of the regular ballot.

Attempts to limit the number of amendments submitted may be illustrated from the constitutions of Indiana and Illinois. In the former state while an amendment or amendments "which shall have been agreed upon by one General Assembly, shall be awaiting the action of the succeeding General Assembly, or of the electors, no additional amendment or amendments shall be proposed."²⁹ Amendments may be proposed in Illinois to not more than one article of the constitution at the same session, nor to the same article oftener than once in four years.³⁰ In both states it has been charged that various groups have taken advantage of these provisions by combining to thrust forward unimportant measures, thus blocking the way effectually to the submission of matters of greater importance.³¹

On the other hand, groups of reformers have frequently taken advantage of the comparatively easy initiative requirements of certain states to bring forward time and again proposals in which they were interested. Single-taxers and, prior to the adoption of the Nineteenth Amendment, woman suffragists, were particularly inclined to pursue this policy. From the reformers' point of view it had the decided advantage of forcing continuous discussion and repeated trials of popular sentiment on their favorite issues, all costs being borne by the state and none by themselves except for circulating petitions and making a campaign. Under the circumstances the interests attacked which felt forced again and again to spend much larger sums in their own defense, can

Limitations on number of measures

Repeated submission of the same measure

²⁸ Haynes, *op. cit.*, p. 466.

²⁹ Art. 16, sec. 2.

³⁰ Art. 14, sec. 2. In 1924 a "gateway amendment" designed to liberalize this provision was defeated because of failure to receive a majority of all votes cast at the election.

³¹ Nevertheless, thirteen amendments were submitted at a special election in Indiana, September 6, 1921, in full compliance with the amending clause of the constitution. See *Bulletin of Information Issued by the Legislative Reference Bureau, State House, Indianapolis, 1921.*

scarcely be blamed for undertaking reprisals. Thus in California, although beaten heavily each time, a single-tax amendment was brought forward in four successive elections prior to 1921.³² On the last occasion, however, the real-estate men of the state resorted to the initiative themselves, presenting an amendment raising the number of signatures required in the case of measures affecting taxation from 8 to the prohibitive figure of 25 per cent. However, with a rather fine sense of fair play the people rejected this proposal also by a vote of 421,945 to 298,347.³³ Oklahoma has attempted a solution of this question by requiring an usually large number of signatures, 25 per cent instead of its ordinary requirement of 5 per cent, to bring up a measure within three years after it has been voted down.

Proposals
to bar
certain
classes of
measures

Provisions barring certain classes of measures permanently as subjects of direct legislation are advocated only partly in order to keep the ballot from being overloaded. A more fundamental reason for such provisions is found in the conviction that measures of the excluded classes are unsuited for popular decision either as too trivial, too local, or too technical in character, or as likely to lead to political upheaval or to encourage invasion of the essential rights of minorities or individuals.³⁴ In American experience of the use of the initiative and referendum, however, there have been few if any cases of the use of either for trivial purposes.³⁵ On the other hand, the overloading of ballots by local measures is by no means uncommon.³⁶ Except in the case of constitutional amendments it would seem possible to correct the latter abuse by limiting the vote on such local measures to the districts concerned.

Technical
and radi-
cal meas-
ures

Direct-legislation measures too technical in character for com-

³² The popular votes on the California single-tax proposal were as follows: 1914—267,618 yes, 375,364 no; 1916—260,332 yes, 576,533 no; 1918—118,088 yes, 360,334 no; and 1920—196,694 yes, 563,503 no.

³³ T. H. Reed, *op. cit.*, *Am. Pol. Sci. Rev.*, vol. xv, pp. 386-390 (Aug., 1921). Ohio voted down a similar proposal in 1915. C. O. Gardner, *op. cit.*, p. 511.

³⁴ Cf. W. F. Dodd, *op. cit.*, p. 270, also his *State Government*, chap. xix.

³⁵ Cf. Holcombe, *op. cit.*, for one case involving the introduction of a "joker" in a Colorado measure referred to the people in 1914. The "joker" was detected and the measure voted down.

³⁶ Of the thirty-three measures voted on in South Carolina in 1920, only five were general in character. But this was a highly exceptional case. The ballot used by San Francisco voters in November, 1922, contained fifty-three propositions to be voted on, thirty proposed statutes or amendments to the state constitution, and twenty-three amendments to the city charter.

prehension by the mass of voters are not unknown, witness referendum votes on excess condemnation, on public utility commissions, and on the regulation of rates and quality of service of public-service corporations. So far as the danger of political upheaval resulting from the use of the initiative and referendum is concerned, it is to be observed that the methods of direct legislation, in spite of the similarity of name, are far too painstaking and orderly to appeal to the advocates of direct action. The last objection to the initiative and referendum cited above is the likelihood of its use against minorities—racial, religious, or otherwise—or against unpopular institutions such as business corporations. In American practice it must be admitted that such cases have been highly exceptional. The Michigan compulsory education and anti-parochial schools amendment of 1920 was denounced as an attack upon a religious minority, but it was defeated at the polls. On November 7, 1922, however, a similar measure brought forward by initiative petition in Oregon was carried by a vote of 115,506 to 103,685. The bill was proposed as an amendment to the existing school law of the state which already contained a compulsory clause requiring attendance through the elementary grades or until children reached the age of sixteen years. On the official ballot the purpose of the initiated bill was thus stated: "Requiring any parent, guardian or other person having control, charge, or custody of a child over eight and under sixteen years of age, from and after September 1, 1926, to send such child to a public school during the entire school year, excepting: (a) children physically unable; (b) children who have completed the eighth grade; (c) children between the ages of eight and ten living more than one and one-half miles, and children over ten years of age living more than three miles from a public school, except when transportation is furnished; (d) children taught by parent or private teacher." Pronounced unconstitutional by the federal District Court in March, 1924, the Oregon measure was brought before the Supreme Court of the United States on appeal. On June 1, 1925, the latter handed down an opinion (268 U. S. 510), holding the act unconstitutional as an unreasonable interference with the liberty of parents and guardians to direct the upbringing and education of children under their control and in that respect violating the Fourteenth Amendment. Further the Court observed that the funda-

Anti-
Parochial
School
Measures

mental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only. Finally it held that protection was due corporations owning and conducting schools whose business and property are threatened by improper and unconstitutional compulsion exercised upon parents and guardians. It is to be doubted whether many measures of this type will be brought forward in the future. Apart from the strong likelihood that they will be declared unconstitutional there will be arrayed against them the fundamental sense of fair play underlying our constitutional guaranties of personal and property rights.

Massachu-
setts re-
strictions
on use
of I. and R.

While most of the evils of direct legislation noted above seem to be chimerical, the Massachusetts Constitutional Convention of 1917 decided to forestall them by a series of novel restrictions upon the use of the initiative and referendum. They cannot be invoked with regard to any measure "that relates to religion, religious practices, or religious institutions; or to the appointment, qualification, tenure, removal, recall, or compensation of judges; or to the reversal of a judicial decision; or to the powers, creation, or abolition of courts."³⁷ Local legislation and specific appropriations from the state treasury were also excluded. Similarly with certain specified civil rights, *viz.*, compensation for property appropriated for public use, access to and protection of courts, trial by jury, protection from unreasonable search, unreasonable bail, and the law martial, freedom of speech and of the press, freedom of elections, and right of assembly. And by a general provision the legislative power of the people was made subject to the same limitations imposed by the constitution on the power of the legislature. In addition to all the foregoing applying to both initiative and referendum there is a specific limitation upon the former, to the effect that "neither the Eighteenth Amendment of the Constitution . . . nor this provision for its protection shall be the subject of an initiative amendment." To conclude this long list of limitations a "double-riveted" clause provided that "no part of the constitution specifically excluding any matter from the operation of the popular initiative and referendum shall be the subject of an initiative petition."

³⁷ G. H. Haynes, "How Massachusetts Adopted the Initiative and Referendum," *Pol. Sci. Quar.*, vol. xxxiv, pp. 455-475 (Sept., 1919).

Closely related to the series of criticisms of direct legislation noted above is another, the validity of which, particularly as applied to the direct form of the initiative, cannot be denied. Measures which are pushed through by the latter method escape wholly the process of discussion and amendment in the legislature. They are brought forward in the first place by persons who have no official representative capacity or responsibility. To succeed finally such measures must, of course, command a popular majority, but the electorate cannot meet to discuss, and possibly to improve, them by taking minority interests into account or by adjusting the initiated proposals to the whole fabric of existing law.³⁸

Absence
of discus-
sion by
legislature

An effort is made to meet this objection by the indirect feature of the initiative adopted by California in 1911. The direct initiative introduced in that state at the same time provided that upon the presentation of a petition signed by 8 per cent of the voters a measure could be taken to the electorate for action directly—*i.e.*, without reference to or interference by the legislature. The indirect feature made it possible to bring a matter upon petition of only 5 per cent before the legislature. If the legislature accepted the initiative proposal the matter was settled without the trouble or expense of a popular vote. If the legislature refused it, the proposal went before the electorate for final decision.

Indirect in-
itiative in
California

The indirect feature of the California initiative afforded no means whereby a measure, if amended in the legislature, even with the approval of the initiators, could be enacted without submission to the electorate. In 1917 the Massachusetts Constitutional Convention endeavored to correct this defect. It provided that initiative petitions must go first to the legislature, which shall refer them to a committee. Hearings open to all parties in interest must then be held, after which the committee must draft recommendations, with majority and minority reports, and submit them to the legislature. Further details of the procedure in that body, both on initiated amendments and on initiated laws, are specified in considerable detail. By a yea-and-nay vote the legislature may submit to the people a substitute for any measure introduced by initiative petition.

Massachu-
setts de-
vice to
meet this
defect

The most surprising innovation of the Massachusetts plan is

Amend-
ment by
proposers

³⁸S. G. Lowrie, "New Forms of the Initiative and Referendum," *Am. Pol. Sci. Rev.*, vol. v, pp. 566-572 (Nov., 1911).

that whereby a majority of the proposers—that is, of the first ten signers of the original petition—have the right, in case the legislature fails to take action before a certain date, to amend the measure. This action does not invalidate any of the at least 20,000 signatures attached to the petition originally. The attorney-general must certify that the amending thus done “is in his opinion perfecting in its nature and does not materially change the substance of the measure.” Next, five thousand newly obtained signatures must be secured to the measure as amended, whereupon it will be submitted to the voters at the next state election. Into other details regarding submission of measures in Massachusetts it is not necessary to inquire. However, it may be noted that the initiative procedure of that state, in addition to requiring extended consideration by the legislature, also confers remarkable powers of amendment upon the first ten signers of petitions, or rather upon six of them since a majority vote binds the other four. These “decemvirs” act with the force of twenty thousand voters, whom they need not further consult, behind them. Amendment is a most elastic term even when described as “perfecting in its nature.” Of course there is a slight safeguard in the requirement of 5,000 additional signatures, but this is a very easy matter, relatively, in so large an electorate as that of Massachusetts.

Optional
referen-
dum time
limits

As we have already noted, the optional referendum resembles the initiative in that it necessitates the use of petitions. Also like the initiative the exercise of the optional referendum is subject to certain specific limitations. It would, of course, be intolerable to leave every law on the statute books open to attack by referendum at any time. For this reason the states employing it fix a limit of time beginning with the date of enactment, during which ordinary laws do not go into effect. In Massachusetts, for example, the period is ninety days. If during that time proponents are unable to secure the requisite number of signatures, the right of challenge by referendum lapses.

Emergency
Acts

To make this rule applicable to all measures passed by the legislature, as is actually done in Nevada, gives maximum scope to the referendum, but it destroys the power of the legislature to pass emergency Acts. It is, however, generally recognized that emergency legislation is at times unavoidable. Accordingly, a number of states have left it to the legislature to decide by a

simple majority at the time of passing an Act that it belongs to the class of emergency legislation and must, therefore, go into effect at once.³⁹ In such states the constitution defines in general terms what constitutes an emergency. Thus, for example, in South Dakota the referendum is not applicable in the case of "such laws as may be necessary for the immediate preservation of the public peace, health, or safety, support of the state government and its existing public institutions." It is natural for the legislature to take the view that such a general constitutional definition of what constitutes an emergency applies to any measure which it may wish to shelter from attack by referendum. In such cases the power of the legislature is preserved but the purpose of the referendum is defeated. Still a third group of states seek to maintain the possibility of emergency legislation, but to make it so difficult that it will not be abused. This is accomplished, first, by specifying a number of kinds of measures which under no circumstances may be declared as of emergency character, and, second, by requiring a two-thirds vote of all the elected members of a legislature to declare an emergency in other cases.⁴⁰

American experience with the statutory initiative and referendum is still too limited to serve as a basis for a final judgment. Nevertheless, it is now a full third of a century since the first of our commonwealths entered this field. And there is abundant reason for the belief that the instruments of direct popular rule have come to stay. President Taft once expressed his sympathy for the "weary voters" of direct legislation states as they "tramp frequently to the polls in a struggle for incessant changes in the laws." His sympathy was misplaced, however kindly intended, for to the voters of these states "popular lawmaking has become something of a habit."⁴¹

While there can be little doubt as to the permanence of the initiative and referendum, there is also reason for believing that these institutions will be subjected to a considerable degree of

I. and R.
likely to
prove per-
manent

Modifica-
tions
likely

³⁹ South Dakota, Oregon, Montana, Oklahoma, Missouri, Arkansas, Colorado, New Mexico, Washington, and Maryland.

⁴⁰ Maine, California, Arizona, and Massachusetts. On the last named cf. G. H. Haynes, *op. cit.*, p. 466. In some states the existence of an emergency is regarded as a judicial question which the courts may be called upon to decide.

⁴¹ R. E. Cushman, *op. cit.*

modification in the near future. The various criticisms mentioned above and the constant efforts to reform the methods of direct legislation all point to such a conclusion. In this connection the numerous limitations characteristic of the Massachusetts type of initiative and referendum may prove profoundly significant. If they enable the people of that state to avoid the inconveniences and abuses experienced elsewhere it is probable that the Massachusetts formula may be adopted widely in those more conservative commonwealths which have hitherto resisted the introduction of direct legislation.

Radical
and con-
servative
views of
I. and R.

In their earlier stages the initiative and referendum enjoyed a large measure of radical support. And they provoked a corresponding measure of fear in conservative ranks. Both radicals and conservatives must now admit that their earlier views were exaggerated. Experience has shown that both can use these instruments with success. The initiative in particular has proved far less radical than its friends hoped, and the referendum has often been made to aid a conservative cause.

Prophecies
of revolu-
tion unful-
filled

It is not surprising, therefore, that the prophecies, once so common, that direct legislation meant the overthrow of republican institutions have disappeared from current political discussion. Experience has contradicted them and a decision handed down by the United States Supreme Court in 1912 left them without legal support. In the case of the Pacific States Telephone and Telegraph Co. *vs.* Oregon (223 U. S. 118), the court held that "whether or not a state has ceased to be republican in form within the meaning of the guaranty in the United States Constitution, Art. IV, Sec. 4, because of its adoption of the initiative and referendum, is not a judicial question, but a political one, which is solely for Congress to determine." Congress has not raised, nor at this late date is it ever likely to raise, the question thus left on its hands by the Supreme Court. Indeed it may be assumed to have answered it tacitly by admitting Senators and Representatives elected in states after their adoption of the initiative and referendum.

Final
judgment
on I. and R.

Any final judgment as to the initiative and referendum must depend upon the answers to two general questions: (1) have these institutions improved the quality of legislation; and (2) have they afforded a beneficial educational discipline to the elec-

torate?⁴² It is conceded that the technical quality of popularly initiated proposals is not inferior to that of the ordinary run of measures introduced by our state legislators.⁴³ But a comprehensive answer to the first of the two questions raised above is extraordinarily difficult. Perhaps all that can be ventured at the present time is Professor Dodd's admirable statement that "so far as initiated and referred measures are concerned, it is probable that some legislation has been obtained more promptly than it would have been obtained through representative legislatures. It is also probably true that in some cases representative legislatures have enacted laws that they would not have enacted but for the alternative method of legislation. It is also true in some cases that legislatures have failed to take certain action because of the fear of a popular vote."⁴⁴

To the second general question regarding the initiative and referendum a much more confident answer has been returned. "The conclusive argument in favor of direct government is . . . educational. The conclusive objection to a representative or legalistic system which does not place occasional responsibility for important legislative decisions on the electorate is its dubious educational effect."⁴⁵

Educa-
tional effect

BOOK NOTES

ON THE methods of amending state constitutions see W. F. Dodd, *Revision and Amendment of State Constitutions* (J. H. U. Studies, 1910), also his *State Government*, Ch. V (1922); A. N. Holcombe, *State Government in the United States*, Chs. XIV and XV (rev. ed., 1928); F. G. Bates and O. P. Field, *State Government*, pp. 79 *et seq.* (1928); the *Massachusetts Constitutional Convention Bulletin*, No. 6 (1918); and the *Illinois Constitutional Convention Bulletin*, No. 1 (1920).

Much of the literature on the initiative, referendum, and recall is in pamphlet form or in periodicals and has been cited as fully as possible in footnotes.

The first extended systematic treatise in this field was E. P. Oberholtzer, *The Initiative, Referendum, and Recall in America* (1912), which is valuable both from the historical and critical points of

⁴² A. N. Holcombe, *op. cit.*, p. 478.

⁴³ C. A. Beard, *American Government and Politics*, p. 505.

⁴⁴ *State Government*, p. 539.

⁴⁵ *New Republic, Supplement*, vol. ii, no. 18, p. 3 (March 6, 1915).

view. E. M. Phelps, *Selected Articles on the Initiative and Referendum* (Debaters' Handbook Series, 1911), presents some carefully chosen materials for debate and an excellent bibliography. W. B. Munro is editor of *The Initiative, Referendum, and Recall* (1912), a compendium of papers dealing with the pros and cons of these topics. For effective criticism of direct legislation and the recall, see W. H. Taft, *Popular Government* (1913); A. L. Lowell, *Public Opinion and Popular Government* (1913); and A. B. Hall, *Popular Government* (1921).

*J. D. Barnett, *The Operation of the Initiative, Referendum and Recall in Oregon* (1915), is a thorough and interesting study, abundantly illustrated by documents, of the experience of the state which has been the leader in this field. A somewhat briefer and earlier discussion is A. H. Eaton, *The Oregon System* (1912). In two valuable articles with extended tables, "Thirty Years of the People's Rule in Oregon," *Pol. Sci. Quar.*, Vol. XLVII, pp. 242-258 (June, 1932); and "The Vote on Initiative Proposals, 1930," *Commonwealth Review*, Vol. XIII, pp. 1-9 (March, 1931), Waldo Schumacher has brought the experience of Oregon down to date.

CHAPTER XVIII

THE RECALL

THE recall has been well defined as "neither more nor less than a special election to determine whether an official shall be superseded before the ordinary expiration of his term."¹ As such its field of operation is completely different from that of direct legislation. On the other hand, the recall uses petitions in much the same way as they are used in initiative and referendum procedure. Also it was advocated in the same way as a means of increasing popular control over government, and has found acceptance largely in states which have been most active in the use of the initiative and referendum. For these reasons it may not be judged amiss to discuss the recall in connection with direct legislation, although it might be taken up more logically under elections.

Recall
defined

Unlike the statutory initiative and referendum, the recall seems to have been invented anew in the United States, although as a matter of fact a somewhat similar institution still survives in the constitutions of various Swiss cantons.² It was first introduced in the Los Angeles charter of 1903,³ and has obtained its widest distribution subsequently in municipal charters, chiefly of the home rule, commission, and commission-manager types. At present the recall is available for use in well over a thousand American cities and towns. In 1908 Oregon, which had already been the innovator in other political fields, made the recall applicable by constitutional amendment to elective state officers, as well as to elective officials in districts such as counties, cities, and the like. This example was followed by California, 1911; Arizona, 1911-

Introduc-
tion and
extension
in the
United
States

¹ J. D. Barnett, *The Operation of the Initiative, Referendum, and Recall in Oregon*, 1915. An earlier article by the same author in the *Am. Pol. Sci. Rev.*, vol. vi, pp. 41-53 (Feb., 1912), may also be consulted with profit. See also A. H. Eaton, *The Oregon System*, pp. 99-104, and articles by T. Bourne, Jr., and G. W. Guthrie in *Ann. Am. Acad. Pol. Sci.*, vol. xliii (Sept., 1912).

² See the author's *Government and Politics of Switzerland*, p. 321.

³ The first resort to it in the history of the country occurred in Los Angeles, Sept. 16, 1904. For details see E. Pomeroy, "The First Discharge of a Public Servant," *Independent*, vol. lvi, p. 69 (Jan. 12, 1905).

12; Nevada, Colorado, Idaho, and Washington, 1912; Michigan, 1913; Kansas and Louisiana, 1914; and North Dakota, 1920. Of the eleven states, four expressly exempt judicial officials from recall, *viz.*, Idaho, Washington, Michigan, and Louisiana. In the other seven it is applicable to judicial on the same terms as to other officials. Colorado alone provided for the recall of judicial decisions. In Kansas the recall may be invoked against appointive as well as elective officials. The North Dakota amendment of 1920 attempts to make it apply to representatives in Congress.⁴ A twelfth state was added to the above list in 1926 when Wisconsin by a vote of 205,868 for to 201,125 against adopted a constitutional amendment for the recall of elective officials.

Period of
grace; re-
call peti-
tions

All recall laws guarantee a certain period of grace to officials subject to their provisions. Usually this is six months, dating from the beginning of their terms, but in some states it is as short as three months, and in others as long as one year. In the case of members of the legislature the term is usually limited to five days after the beginning of the first session following their election to that body. After the period of grace has elapsed petitions may be circulated which must state briefly the reasons upon which the demand for recall is based. To be effective a petition must be signed by a certain percentage of the voters of the state or district represented by the official who is under fire. Usually this is fixed at 25 per cent, a rather stiff requirement, considerably higher, it will be noted, than the percentages commonly established in the case of the initiative and referendum. In some states and cities, however, the percentage required for recall petitions is as low as 10, in others as high as 35, per cent. The Illinois requirement of 55 per cent applying to officials of commission governed cities is, of course, so high as to be prohibitive.⁵ No doubt it was inserted with this intent, for it is a favorite device of opponents of direct legislation and recall bills, when their rejection *in toto* cannot be brought about, to "amend" them by fixing impossible percentages.

In view of the relatively greater ease of securing signatures locally it is interesting to note that the Kansas constitution re-

⁴ See *Session Laws, N. D.*, 1921, p. 257.

⁵ H. S. Gilbertson, "Public Control Under the Recall," *Annals American Academy*, vol. xxxviii, pp. 833-838 (Nov., 1911); and "The Recall—Its Provisions and Significance," same magazine, vol. xl, p. 216 (Sept., 1912). The Illinois law was passed March 10, 1910.

quires 10 per cent for the recall of state officials, 15 per cent for the recall of officials of districts smaller than the state but greater than the county, and 25 per cent for the recall of officials of counties and smaller districts.⁶ Similarly the California recall amendment of 1911 requires 12 per cent in the case of state officials elected at large and 20 per cent in the case of state officials elected in political subdivisions of the state.⁷ California also endeavors to secure a degree of geographical distribution by the requirement that petitions for the recall of officials elected by the state as a whole must be circulated in at least five counties and must secure the signatures of at least 1 per cent of the voters in each.

Special provisions regarding recall petitions

Signatures for recall petitions are procured in much the same way as signatures for direct primary and direct legislation petitions. In all three the same abuses occur, and the same legal safeguards are necessary. One state only, Kansas, makes the requirement that petitions must certify that the signers voted for the officer to be recalled, or, if his position is appointive, that they voted for the elective official appointing him. With the secret ballot, however, it is obvious that this requirement can be effective only as a moral obligation. In some cases a single petition may be circulated against more than one official, and a single election used to accomplish the recall of a number of officials.⁸

Collection of signatures

Upon their completion recall petitions go for verification to the city clerk, county clerk, or secretary of state for examination and verification. Usually the officer whose recall is sought may resign within five days from the filing of the petition against him. If he does not; and if the petition is found sufficient, a special election must be ordered to take place within from twenty to ninety days. In Arizona, for example, the period is twenty to thirty days; in Colorado, thirty to sixty days, if a general election is not to occur within ninety days; in Louisiana, three to five months. Some states provide that if a regular election is to occur at a not too distant date, say within ninety days, the recall election may be postponed for that length of time.

Resignations to avoid recall

Candidates who wish to run against the incumbent are thereupon nominated by petition or in such other manner as the pri-

Recall ballots

⁶ Constitution, art. iv, § 193.

⁷ Constitution, art. xxiii.

⁸ S. G. Lowrie, *Am. Pol. Sci. Rev.*, vol. v, p. 248 (May, 1911).

mary laws may provide. Of course those who are backing the recall have a strong motive to center their strength upon a single opposition candidate if this can be done. Originally most recall elections consisted simply of a choice between the incumbent and those nominated against him, the candidate who received the largest vote holding the office to the end of the term. This has been modified until at present in nearly all cases the ballots used in recall elections present first the question, "Shall (name of person against whom the recall petition is filed) be recalled from the office of (title of office)?" with spaces for a cross mark or stamp opposite the answers "Yes" and "No." Underneath this question names of candidates are printed with the usual spaces for voting. In some cases also the top of the recall ballot is occupied by a printed statement giving the reasons for the recall as advanced by those who circulated the petitions, followed by a justification from the official under attack, each not to exceed 200 or 300 words in length.⁹

Counting
of ballots

Under the more recent arrangement answers to the first question are first counted. If a majority of answers are recorded in the negative the recall has failed and the incumbent remains in office. If a majority vote "yes" on the question of recall, the votes of candidates are next counted and the candidate who has received the largest number of votes is entitled to hold the office to the end of the term. Usually the law provides that only those ballots may be counted on candidates which are also marked in answer to the recall question.

Name of
incumbent
on recall
ballot

Two methods prevail regarding the number of times the name of the incumbent may appear on the recall ballot. Assuming that he does not resign within the time allowed for this purpose, his name goes on the ballot automatically at least so far as the question of recall is considered. In some states it does not appear again as a candidate against the field. Under this arrangement, of course, the official whose recall is sought must get a majority of all voting on the first question to retain his position. If he fails to do so his successor may win by a bare plurality. In other states the incumbent's name appears first in the question referred to above, and again in the list of candidates. Under this arrangement it is possible for the recall to defeat itself—that is, for

⁹ For forms of petitions and ballots used in Oregon see J. D. Barnett, *op. cit.*, appendix.

If you ARE in favor of the recall of

WILLIAM C. HENDEREE

mark an X in the square opposite the word
"Yes." If you are NOT in favor of his recall,
mark an X in the square opposite the word "No."

☒ YES. ☐ NO

If you ARE in favor of the recall of

OLIVER BRIGHT

mark an X in the square opposite the word
"Yes." If you are NOT in favor of his recall,
mark an X in the square opposite the word "No."

☒ YES. ☐ NO

Nominees for successors of

WILLIAM C. HENDEREE

Vote for one only.

Mark an X in the square opposite the name of the
candidate for whom you desire to vote:

☐ FRANK E. SMITH
☒ W. COURTRIGHT SMITH
☐ E. YENNEY ☐

Nominees for successors of

OLIVER BRIGHT

Vote for one only.

Mark an X in the square opposite the name of the
candidate for whom you desire to vote:

☒ RALPH L. CARLL
☐

Nominees for successors of

FRANK E. SMITH, Resigned

Vote for one only.

Mark an X in the square opposite the name of the
candidate for whom you desire to vote:

☐ WILLIAM R. PINKER
☒ ALFRED TAYLOR
☐ FRANK E. WRISLEY ☐

BALLOT USED IN RECALL ELECTION, WILDWOOD, N. J., JULY 12, 1921, MARKED TO MAKE THE RECALL EFFECTIVE. IN THIS CASE ONE OF
THE THREE COMMISSIONERS ESCAPED RECALL BY RESIGNATION, SUBSEQUENTLY RUNNING ON THE RECALL BALLOT FOR RE-ELECTION

the question as to the recall to be answered affirmatively by a majority, while, nevertheless, the incumbent retains his seat by winning over the other candidates with a bare plurality.

Effect of
new form
of recall
ballot

It was a valid criticism against the original form of recall elections in which the incumbent simply stood for reelection against candidates pitted against him, that the result did not register the decision of the people solely upon the conduct of the official whose recall was sought. Manifestly it would turn in part upon his popularity as compared with that of his rivals. Nor is this criticism wholly disposed of by the rather artless device of asking the electorate to answer first the question as to recall, and immediately thereafter to choose a successor among various candidates.

The Kan-
sas form
of the
recall

If, on the other hand, it were the practice to vote first on the question of the recall only, leaving the vacancy created in case the recall succeeded to be filled either by appointment or in the same way as any vacancy caused by death or resignation, this criticism would be avoided. At times, of course, the latter method would involve the added trouble and expense of a second special election, which is no doubt one of the reasons it has not been generally adopted. So far Kansas alone has taken the latter horn of the dilemma, its constitution providing simply that if the popular vote is in favor of recall "a vacancy in the office shall exist to be filled as authorized by law." It should be remembered in this connection that Kansas makes the recall applicable to appointive as well as to elective officials.

Second
recall
elections

In Louisiana and North Dakota the recall may not be resorted to a second time against the same official during the same term. Colorado pays the election expenses of an official against whom the recall is invoked unsuccessfully and makes the practically impossible requirement of a 50-per-cent petition for a second recall election against him during the same term. California also repays election expenses of state officials against whom the recall has failed, and provides that a second recall shall not be undertaken within six months. In other states it is usually provided that those who wish to launch a second recall against the same man during the same term must first pay into the public treasury the costs of the first recall election.

Kansas is the only state which expressly provides that the existence of the recall shall not exclude the use of other means of

securing the removal from office of unsatisfactory officials.¹⁰ In all other cases, apparently, this is assumed. Prior to the introduction of the recall, American states and municipalities had provided a large number of methods to secure the dismissal of officials. These methods included, to mention a few types only, impeachment; dismissal of appointive officers by their executive superiors either acting alone or with the consent of the upper legislative house; removal of judges by joint resolution of both branches of the legislature; and removal by higher court judges of prosecuting attorneys, minor judicial officials, and minor county and town officers. In seven or eight states the governor is empowered by the constitution to remove various local officials for cause.¹¹ It was under a provision of this character that proceedings were taken in 1932 against Mayor James J. Walker of New York City. His Honor found it convenient to resign before a final decision was rendered by Governor Franklin D. Roosevelt. The incident attracted nation-wide attention and figured to some extent in the presidential campaign of 1932.

Other
methods
of removal

Opponents of the recall have always urged that the above methods of getting rid of unsatisfactory public servants were sufficiently numerous, that they were more deliberate and impartial than removal by popular vote, and that they met the needs of the situation fully, or at least might be made to do so by certain modifications of procedure. Advocates of the recall, on the other hand, held that these earlier methods were too cumbersome, that they offered too much scope for the use of political influence and the introduction of legal technicalities, that in spite of them, many officials were subservient to bosses and machines and unmindful of the loyalty they owed to the interests of the people.

Arguments
based on
these other
methods

Acute political observers have often noted the unsatisfactory nature of the reasons publicly advanced by petitioners for the recall of officials. There is no requirement that misdemeanors or crimes sufficient to justify dismissal by older methods must be cited. Corrupt or illegal conduct, failure to represent constituents properly, incompetence, or any other grounds that seem sufficient, may be alleged as grounds for recall. In fact the reasons stated often amount to nothing more than alleged errors of judgment—spending too much money for one purpose rather than another,

Reasons
advanced
for recall
of officials

¹⁰ Constitution, art. iv, sec. 192.

¹¹ Cf. F. G. Crawford, *State Government*, p. 463.

in one section of a state or county rather than another, or upholding appointive officials whose actions or opinions have given offense. There is a general tendency to state reasons rather broadly, or to give part of the reasons only, leaving the real motives of the recall movement undisclosed. Fear of possible libel suits accounts in part for this reticence. Sometimes the real motives are not very creditable, involving many petty, personal, local and even private property interests. For example, wet and dry animosities seem to be invoked freely in such campaigns although they are seldom mentioned in petitions. These underhanded attacks frequently give a rather sordid air to recall movements. It must be remembered, however, that lower motives play a very influential, although somewhat concealed, part in all elections. Recall elections differ from other elections only in the necessity of formulating reasons, which tends to bring these lower motives to the surface. Of course they are unpleasant to contemplate, but, after all, it is more sanitary to drag them out to some degree into the sunlight and air of publicity than to ignore their existence.

Cautionary
effects of
I. and R.
and the
recall

Advocates of the initiative, referendum, and recall frequently urged the adoption of all three of these tools of direct popular power not because they were needed for frequent use, but because of their cautionary effect upon public officials. In homely phrase they were to resemble the farmer's shotgun behind the door, to be taken out only in case of emergency. Contrary to this expectation, as we have seen, the initiative and referendum developed a frequency of use that constitutes one of the chief of current objections to these institutions. The recall alone has been used more sparingly, thus justifying to a degree the predictions of those who advocated its adoption.

Cases of
resort to
the recall

Oregon, which has had the longest state-wide experience with the recall, witnessed only seventeen instances of its use in seven years following its introduction. Thirty-five office holders were involved, only nine of whom succeeded in retaining their offices. No incumbents of state offices were attacked in Oregon. Until 1921 the most prominent officials against whom the recall was invoked in other states were the mayor of Los Angeles in 1909, and the mayor of Seattle in 1911.¹² In both cases the incumbents

¹² On the Los Angeles recall of 1909, see F. T. Stillson, *National Conference on City Government*, 1909, pp. 326-333; *Independent*, vol. lxvi, pp. 432, 861 (Feb. 25, March 26, 1909). The Seattle recall of 1911 is discussed fully by F. W. Catlett, "The Working of the Recall in Seattle," *Ann. Am. Acad. Pol.*

were removed. There have been but two instances of the use of the recall against officials elected by vote of the state as a whole. In 1920 North Dakota adopted the recall largely through the influence of the Non-partisan League. A year later it was employed with success to remove from office Lynn J. Frazier, the governor of the state, who had been elected, also with Non-partisan League support, at the same time the recall was introduced. At the same election the state commissioner of agriculture and the attorney general were recalled. Nevertheless little animus seems to have survived against Frazier for he was elected to the United States Senate in 1922. The second instance of the use of the recall against state-wide officials occurred in Oregon where two public utilities commissioners were removed because of popular dissatisfaction with certain rate increases authorized by the commission.¹³

In one state only—California—has the operation of the recall been studied intensively from the time of its adoption.¹⁴ Here it has been resorted to with the greatest frequency in small cities of less than 20,000 inhabitants; nevertheless numerous cases have occurred in larger centers of population including Los Angeles and San Francisco. All told, 155 recall elections were held in the Golden State between 1903 and 1930, a number slightly larger, by the way, than the total given by most commentators for the United States as a whole during the same period. In Watts, California, a thriving suburb of Los Angeles, recalls occurred with a frequency between 1923 and 1925 "that would have made a Central American revolutionist green with envy." As a result one leading citizen of the place remarked: "Politics is a wonderful thing but in Watts it is a fearful and malignant disease." Unquestionably California's experience shows

Recall
in Cali-
fornia

Sci., vol. xliii, pp. 227-236 (Sept., 1912). Cf. also *McClures*, vol. xxxvii, pp. 647-663 (Oct., 1911); *Outlook*, vol. xxxvii, p. 295 (Feb., 1911). In both cases moral issues played a large part. The first Seattle recall was followed by an effort to recall the new incumbent which failed for want of signatures. In 1915, however, the mayor who was recalled in 1913 was again elected mayor of that city on a platform pledging reform. See W. M. Baine, "Seattle Changed Its Mind about H. Gill," *Am. Mag.*, vol. lxxx, p. 51 (Sept., 1915). This incident has been used as evidence of popular instability alleged to be caused by the recall, but it proves nothing on that score which might not be alleged against ordinary popular elections.

¹³ J. D. Barnett, "Fighting Rate Increases by the Recall," *Nat. Mun. Rev.*, vol. xi, p. 212 (1922).

¹⁴ See reference to the work of Bird and Ryan in Book Notes at the end of this chapter.

that the recall is often made the vehicle of private spite and of the group antagonisms of wets and drys, of reformers and machine politicians, of Kluxers and anti-Kluxers, of church organizations, of rival real estate and other business interests, and the like. Nevertheless it has proved effective both as a cautionary and cleansing agent and is strongly supported by public opinion.

Recall primarily for local use

In general, therefore, the recall has shown itself to be an instrument serviceable primarily against local officials whose acts touch constituents closely, and hence often rouse their resentment. Considering the very large number of such officials throughout the country now subject to recall, its use must be described as relatively infrequent. Under the circumstances critics doubt whether its cautionary effect upon officials is much greater than the moral and religious effect upon individuals due to the knowledge of the latter that they may be struck by lightning. However there is one possibility in this connection which is wholly evil. Enemies of a given office holder may circulate recall petitions against him until they have secured signatures to a number slightly less than the required quota. Then, as the phrase has it, they hold the petition "in cold storage," threatening him with its completion unless he conforms to their wishes. This practice, which is alleged to have occurred in several instances, might be broken up by fixing a definite period of time within which the required number of signatures would have to be obtained, failing which petitions would be void.

Popular interest in recall elections

On the rare occasions when they do occur, recall elections usually attract intense popular interest. The issues presented touch citizens closely; often they are quite sensational in character. An element of sharp personal antagonism, somewhat similar to that of the duel, is present. The ballots used are short enough to satisfy the most thoroughgoing short-ballot advocates. At times recall elections develop a good deal of noise and some violence may occur or be threatened, but unwelcome incidents of this kind are no more directly attributable to the recall than to ordinary elections, which are also occasionally marred by them. In a few Oregon recall elections the vote cast was actually in excess of the registered vote—sundry eager citizens "swearing themselves in" at the last moment. However, extreme interest is not always manifested. In the same state there have been other recall elections

characterized by general apathy and in which less than a third of the registered vote was polled.

Careful observers find it difficult to appraise the effectiveness of the recall. Experience is not sufficiently extensive even in those states and cities which have had it longest for final judgment. It is not hard to imagine circumstances under which the recall might be galvanized into a much more frequent use than has hitherto been recorded. Probably it has prevented some of the more conspicuous political sins of commission, such as bad franchise grants and the establishment of segregated vice districts. Probably also it has fostered some political sins of omission. Tax officials subject to recall are said to be afraid to make assessments at full value as required by law. Theoretically, the recall may be used as readily by the machine against faithful servants of the people as by the people against servants of the machine, but experience shows that the first contingency is little to be feared.¹⁵

Effective-
ness of
the recall

Critics of the recall were wont to argue that it would make voters careless. Since with its aid citizens could get rid of an official at any time, it was asserted that they would be inclined to elect officials without careful consideration of their fitness. This argument overlooked the very considerable amount of effort and even of expense necessary to conduct a recall movement successfully. And there is no evidence to show that voters are more indifferent to the character of candidates with the recall than they were before its introduction. Another argument was that if the menace of the recall were added to other disadvantages attached to many elective positions—such as low salaries, hard work, constant criticism, and short terms—there would be a dearth of candidates. Nevertheless, candidates, good, bad, and indifferent, present themselves quite as freely after the recall has been adopted as before. And although the recall has not made state-wide advances in recent years so rapidly as during the period 1911-14, in general those states and cities which have already adopted it seem well enough satisfied. At least movements for its abolition are seldom heard of, although there is some discussion of methods by which it may be perfected.

Criticisms
of the
recall

Perhaps the greatest single gain which may be credited to the recall is that indirectly it has aided in bringing about a much-needed lengthening of the terms of certain elective officers. As a

¹⁵ A. M. Kales, *Unpopular Government in the United States*, pp. 122-127.

Recall has
led to
longer
terms for
certain
office
holders

matter of fact, the recall is of little use as against short-term office holders. For example, if petitions must be halted for the first six months of a two-year term, and if elections may take place not earlier than sixty to ninety days after petitions have been completed and approved, it is evident that the time during which such an office holder may be attacked is limited. Moreover, the loss inflicted upon a short-term office holder by a successful recall, and consequently the cautionary effect of the institution, are much less than in the case of a long-term office holder. To be sure, these are negative results, but on the positive side the same considerations incline the electorate to look with more favor upon an increase of official tenure and powers, provided the incumbents are at the same time made subject to the recall. In all probability the short ballot, and the commission and commission-manager forms of municipal government, all of which involve longer terms and greater concentration of powers, would have made much less rapid progress throughout the country had it not been possible to offer the electorate at the same time the sop of the recall. Great readjustments of a similar character are impending in state administration, and these may also find the recall a useful adjunct.

Recall of
judicial
officials

Even more than the initiative and referendum, the recall was denounced originally as unconstitutional and revolutionary in that it substituted a dangerous form of direct democratic rule for representative republican institutions. But the bitterest condemnation was reserved for those who proposed to make it applicable to judicial officials.¹⁶ As typical of the more extreme of these expressions one eminent writer who conceded that the introduction of the referendum as a check upon the legislature might be considered progress nevertheless insisted that "if it is progress it is also revolution." The initiative he held to be "the most preposterous and the most vicious" of all the proposals brought forward in the name of the direct democracy. Further, in his opinion, the recall of executive and legislative officials, while meddlesome and disturbing to statesmanship, was not a violation of the principles of representative government as are the initiative and ref-

¹⁶ A. B. Hall, *Popular Government*, pp. 203-241; S. W. McCall, "Representative as against Direct Government," *Atlantic*, vol. cviii, pp. 451-466 (Oct., 1911); H. J. Ford, "Direct Legislation and the Recall," *Ann. Am. Acad. Pol. Sci.*, vol. xliii, p. 75 (Sept., 1912). Also articles by R. G. Brown, J. A. Metcalf, and A. H. Snow in the same issue of the *Annals*.

erendum. Applied to the judiciary, however, the recall "is much more than a piece of stupid folly. It is an outrage of the first magnitude."¹⁷ Criticism directed specifically against the latter point was not without its effect since, as we have already noted, four of the eleven recall states expressly exempt judicial officials of all grades from recall. The action of Arizona on this point attracted much attention in 1911 and 1912. The first constitution with which it sought admission to the Union provided for the recall without excluding judges. Congress passed an enabling Act stipulating, however, that an amendment be submitted to the people of the state at the first ensuing election by which judicial officers should be exempted. Even with this condition President Taft vetoed the enabling Act in a message which presented fully and forcibly the arguments against the recall of judges.¹⁸ Thereupon Congress amended the enabling Act by inserting the words "except members of the judiciary," as applied to the proposed recall provisions in the state constitution. A year following its admission, however, Arizona restored the judicial recall to its constitution.¹⁹

Opponents of the recall of judges laid great stress on the necessity of leaving the courts free from every gust of popular passion in their work of interpreting constitutions and laws. With a sword of Damocles forever suspended over their heads in the form of the recall, it was asserted that judges would lose their independence and constitutional guaranties would be swept away. On the other hand advocates of this use of the recall argued that judges sometimes fall under the sinister influence of political bosses and machines, or of great corporations, and that they, like other officials, need to be reminded occasionally that they are servants of the people. As elective officials in most of the states they must submit their claims to the people from time to time in any event. The recall proposed merely to hold them to account in cases and at times when gross abuses were alleged against them.

Arguments
on recall
of judges

In the light of our experience to date the controversy seems

¹⁷ N. M. Butler, *Why Should We Change Our Form of Government?* pp. 25, 32.

¹⁸ The message may be found in House Doc. 106, 62d Cong., 1st Sess.; also reprinted in Beard and Schultz, *Documents on the State-Wide Initiative, Referendum and Recall*, pp. 246-256.

¹⁹ *Am. Yr. Bk.*, 1911, p. 262; 1912, p. 47.

Use of
recall
against
judges
highly ex-
ceptional

rather barren. "No judge has yet been recalled because of popular dissatisfaction with a decision involving constitutional interpretation. . . . The recall has not yet been invoked against a member of any superior or supreme court."²⁰ The most sensational case on record involving a judge was directed and carried to a successful conclusion against a San Francisco police magistrate in 1913. In this case the accusation was that of collusion in the escape of prisoners charged with serious crimes against young girls.²¹ Two other San Francisco police judges were recalled in 1921, an interesting feature of the case being the fact that the Bar Association aided in circulating petitions against them.²² During the first seven years of the state-wide recall in Oregon, it was invoked on two or three occasions against local judges, but they were attacked because of the alleged misperformance of certain duties imposed upon them in an administrative capacity, not because of their conduct on the bench. In general the conclusion seems well founded that the people not only have a high respect for the courts, but are little interested in purely legal decisions, and therefore are not likely to resort to the use of the recall against judges on such grounds.²³

Recall of
judicial
decisions

An offshoot of the controversy over the recall of judges which provoked an enormous amount of superheated discussion during the campaign of 1912, was the recall of judicial decisions, proposed by Theodore Roosevelt. In the platform of the Progressive party of that year, the plank on this subject was as follows: "When an Act passed under the police power of the state is held unconstitutional under the state constitution by the courts, the people, after an ample interval for deliberation, shall have an opportunity to vote on the question whether they desire the Act to become a law, notwithstanding such decision."²⁴

²⁰ A. N. Holcombe, *op. cit.*, p. 375.

²¹ For details see the *Independent*, vol. lxxiv, p. 1014 (May 8, 1913); *Literary Digest*, vol. xlv, p. 1048 (May 10, 1913).

²² P. Eliel, "Corrupt Judges Recalled in San Francisco," *Nat. Mun. Rev.*, vol. x, p. 316 (June, 1921).

²³ J. D. Barnett, *op. cit.*, p. 206.

²⁴ For details see P. O. Ray, *op. cit.*, pp. 499-503. A favorable view of the recall of judicial decisions is presented by W. L. Ransom, "Majority Rule and the Judiciary," 1912; and by W. D. Lewis, "A New Method of Constitutional Amendment by Popular Vote," *Ann. Am. Acad. Pol. Sci.*, vol. xliii, pp. 311-325 (Sept., 1912). The proposal is criticized in detail by W. F. Dodd, "Social Legislation and the Courts," *Pol. Sci. Quar.*, vol. xxviii, pp. 1-17 (March, 1913); and A. B. Hall, *Popular Government*, pp. 174-202. The

Colorado adopted the recall of judicial decisions in the form of a constitutional amendment in 1913, but no other state has followed its example.²⁵ According to the amendment no court lower than the supreme court may declare laws unconstitutional. If the supreme court takes such action regarding an Act passed by the legislature, its decision is not to be binding for a period of sixty days. During this period petitions may be circulated demanding a referendum vote on the law. If these petitions are signed by 5 per cent of the voters an election must be held within ninety days, and if a majority vote favors the law it is upheld regardless of the decision of the supreme court. The same provisions hold with regard to judicial decisions adverse to city charters except that in such cases petitions are circulated and the election is held only in the city affected thereby. From 1913 to 1921 no action was taken under this amendment, and in the latter year it was declared unconstitutional by the state supreme court.²⁶

Adopted
by Colo-
rado

At this distance of time it is difficult to see anything revolutionary or dangerous in the recall of judicial decisions as proposed in 1912. It had the advantage of being much less invidious than the recall of judges themselves, which was doubtless one of the reasons it was taken up by Theodore Roosevelt. Politically it was an error, damaging his candidacy greatly. On the other hand, the proposal amounted simply "to a new method of constitutional amendment by popular vote." As such, however, it was narrower and less effective than the constitutional initiative. In short, the proposal was futile rather than radical, and has ceased altogether to figure practically in politics.

Futile
rather than
radical

BOOK NOTES

THE only book devoted wholly to the recall and by far the best reference to consult on that subject is *F. L. Bird and F. M. Ryan, *The Recall of Public Officials* (1930). While limiting themselves to California cases—all of which are dealt with in detail—the authors present excellent general statements on the origin and historical development of the recall and on its somewhat tortuous legal aspects.

political effect of the proposal is discussed by W. D. Lewis, *Life of Roosevelt*, pp. 340-344; also much more critically by H. F. Pringle, *Theodore Roosevelt*, p. 557 *et seq.*

²⁵ See L. 1913, p. 678.

²⁶ *People v. W. U. Tel. Co.*, 198 Pac. 146. See also for comment R. L. Cushman, *Am. Pol. Sci. Rev.*, vol. xv, pp. 413-415 (Aug., 1921).

Their accounts of many of the recall campaigns waged in the Golden State make racy and fascinating reading. By far the greater part of the literature of the recall is to be found in books and articles dealing also with the initiative and referendum, which are listed at the end of Chapter XVII. Of these J. D. Barnett, *The Operation of the Initiative, Referendum and Recall in Oregon* (1915), contains an extended and impartial treatment of the subject. Former-president Taft's veto message, cited in the text (page 503), is perhaps the most cogent argument against the recall of judges. The general works cited under Book Notes to the preceding chapter, especially those by Oberholtzer, Munro, Taft, Lowell, and Hall, may be consulted with profit on the recall. S. B. Warner discusses a very interesting detail in "Criminal Responsibility for Statements in Recall Elections," *Nat. Mun. Rev.*, Vol. XV, pp. 118-122 (Feb., 1926); and J. O. Garber summarizes one hundred cases of "The Use of the Recall in American Cities," *ibid.*, Vol. XV, pp. 259-261 (May, 1926).

CHAPTER XIX

THE SPOILS SYSTEM AND CIVIL SERVICE REFORM

EXCEPTING only its application to the initiative and referendum, all the manifold forms of the voting process discussed in preceding chapters are employed in the choice of elective public officials. The fundamental importance of this process under any form of representative government fully justifies the large share of popular attention given to it. It is presumably through the officers thus chosen that the will of the people is expressed in all the more important affairs of government. What is not so clearly visioned in the public mind is the fact that elective officials form an extremely small proportion of the great army of public officials taken as a whole, all of whom are engaged in some major or minor part of the work of government.

Relatively
few elec-
tive
officials

In the federal system, for example, there are only 533 elective public officials—the President, the Vice-President, 96 Senators, and 435 Representatives. From a body of less than three hundred officials at its organization the national government has expanded until in 1932 it had 616,837 appointive civilian employees of the executive civil service.¹ In state governments also the appointive is largely in excess of the elective personnel. New York, for example, has over 30,000 employees subject to the state civil service law, not counting the more than ten thousand in court, county, and village service who are also included under its provisions.² Metropolitan cities have even larger labor forces at their disposal than the greater state governments. Ten years ago the municipal employees of New York City had reached the unprecedented total of

Large
number of
appointive
officials

¹ In 1919, at the peak of the demand caused by the war, the number was 917,760. These figures do not include the comparatively small number of places within the appointive power of the legislative and judicial branches, nor, of course, the armed forces of the army and navy. Cf. *Thirty-ninth Annual Report of the United States Civil Service Commission for the Fiscal Year Ended June 30, 1922*, p. vii.

² *Forty-eighth Annual Report of the Department of Civil Service, State of New York*, 1931, p. 22.

one hundred thousand.³ In rural counties and local governments the disparity between the numbers of elective and appointive offices is not so great, but as a rule the latter are much more numerous. According to an estimate made by the National Civil Service Reform League, "in the entire public service of the federal government and all the states, counties, towns, cities, and villages there are nearly three million persons. One in every thirty-five persons—man, woman and child—draws pay from the government. And we pay them in a year, all told, something more than three billion dollars. Every head of a family puts his hand into his pocket each year and takes out on the average more than one hundred dollars to contribute to the pay of his public servants."⁴

Voting
strength
of office
holders

Apparently the estimate just quoted includes both elective and appointive officials. The latter, as we have noted, are in a very great majority, and since most of them are adults they constitute a considerable proportion of the voting population, perhaps one in twenty or twenty-five. In large cities the proportion runs much higher. Professor Munro estimates that in New York City the number of municipal employees is nearly 8 per cent of the registered voting population. In Boston it is about 12 per cent. Considering the political activity of municipal employees and the further fact that most of them can influence the votes of relatives and friends, he reaches the conclusion that their actual political strength is equivalent to from one-sixth to one-eighth of the electorate—sufficient to constitute the balance of power in most of the large cities.⁵ Outside metropolitan centers of population the mere voting strength of public employees is not great enough to make them an important political factor. Moreover, taking the country as a whole, it is in all probability fairly evenly divided between the parties. On the other hand, the possibility of the misuse of so large a number of places to build up a political machine is so omnipresent and threatening that it early became one of the major problems of American politics.

Origin of
spoils
system

Even during the administrations of Washington and Adams partisan considerations were by no means disregarded in making federal appointments. With the defeat of the Federalist party the

³ W. B. Munro, *Municipal Government and Administration*, vol. ii, p. 22.

⁴ Cf. the admirable pamphlet by E. C. Marsh, *The Civil Service: A Sketch of the Merit System*, published by the National Civil Service Reform League, New York, 1922, p. 4.

⁵ *Government of American Cities*, p. 266.

demand for patronage was materially increased. Finding himself faced by the quandary, "How are vacancies to be obtained?" Jefferson remarked, somewhat plaintively, "Those by death are few, by resignation none." At that time public opinion would have been outraged by the use of the presidential power of removal on any considerable scale in order to secure offices for distribution. The old English view that once in private hands a public office takes on something of the nature of a vested property right, still survived. Meanwhile, however, this traditional barrier was breaking down in the larger cities and states of the North. With the disappearance of property qualifications for suffrage there was added to the electorate in this part of the country a large number of new voters who had no sympathy with the political ideas of the dominant local gentry. "A race of politicians grew up who were not the men to entertain scruples about disturbing gentlemen in their snug berths. The longer the office holders had been in the more reason why they should get out so as to make room for others and give every one a chance at the public crib."⁶ Using Tammany Hall to organize the new mass of poorer voters, Aaron Burr wrested the control of New York City from Hamilton in 1800 and rewarded his followers with appointive positions. Thus inaugurated, the use of patronage as a political weapon spread apace through northern cities and states. It was another New York state leader, Senator Marcy, who some years later evolved the phrase destined to become the catchword of the new political conception: "To the victor belong the spoils of the enemy."⁷

In 1820 the first breach was made in the federal bulwark by the passage of an Act limiting to four years the tenure of district attorneys, collectors, surveyors of customs, navy agents, paymasters, and certain other officials. Primarily the purpose of this measure was to enable Secretary Crawford to build up a machine that would help him to reach the Presidency. By automatically ejecting place holders at the end of four years the Act of 1820 was, of course, much more productive of vacancies than the tardy processes of death and resignation. Then came the popular upheaval which placed Jackson in the White House. Although

Four-year
Tenure
Act, 1820

⁶ H. J. Ford, *The Rise and Growth of American Politics*, p. 148.

⁷ Used in a debate in the United States Senate, 1832; *Register of Debates in Congress*, viii, pt. 1, 1325.

generally held responsible for the introduction of the spoils system into the federal government, Jackson made no clean sweep. According to Benton, he left a majority of offices in the hands of members of the opposing party even in the executive departments at Washington. However, the number of removals made by Jackson during the first year of his administration, variously estimated at from 690 to 734, was so large and startling as compared with the record of his predecessors that it may be taken as the mark of a new era in politics.

Jackson's
adminis-
tration and
later

In 1836, the last year of Jackson's second term, another law was placed upon the statute books which materially facilitated the operation of the spoils system. It provided that all postmasters whose compensation was one thousand dollars a year or more should be appointed by the President with the confirmation of the Senate and that their term of office should be four years. Further, they were made removable at the discretion of the President. Following Jackson's administration the spoils system spread rapidly not only in the federal government but also in state and city governments except in the South, where for a long time its introduction locally was successfully resisted. After each defeat at the polls deserving members of the victorious party raised the cry, "Turn the rascals out," and "clean sweeps" became the order of the day. From 1857 on, even when one party remained in power continuously for a long period, each factional defeat was followed by wholesale dismissals. And individual leaders in Congress and out constantly brought pressure to bear upon heads of departments to dismiss employees in order that their own followers might be rewarded. At its extreme development the spoils system was capable of producing results similar to those summed up in the first annual report of the Civil Service Commission, 1884, as follows:

When Draper, a Republican, was collector of the port at New York, he removed a subordinate as often as every third day for a whole year. When Smyth, another Republican, succeeded Draper as collector in 1866, he removed 830 of his 903 Republican subordinates at the average rate of three every four days. When Grinnell, another Republican, succeeded Smyth as collector in 1869, he removed 510 out of his 892 Republican subordinates in sixteen months. When Murphy, another Republican, succeeded Grinnell as collector in 1870, he removed Republicans at the rate of three

every five days until 338 had been cast out. . . . Thus, during a period of five years in succession, collectors, all belonging to one party, for the purpose of patronage, made removals at a single office of members of their own party more frequently than at the rate of one every day. In 1,565 secular days 1,678 such removals were made.⁸

Of course such "rapid-fire" results were exceptional. The principle of rotation in office was seldom applied universally either in the federal or in state and local government. A new party taking power was virtually forced to retain certain experienced or especially capable employees in technical positions. Nor were all other appointees without training, for some men succeeded in obtaining a long intermittent term of office, coming in and going out repeatedly with the ups and downs of their party or faction. At times of stress when it became advisable to "pander a little to the moral element in the community," a few conspicuously good appointments might be made. In Pennsylvania this process is known as "sprinkling political perfumery." Professor Merriam relates a story of the head of a great spoils system who once decided to make a "feature" of the school trustees. "He was found late one night in his favorite saloon, and was asked to make one of the customary types of appointments; but to the surprise of the solicitor he answered: 'We ain't appointing no stiffs here. Give us a guy of some class.'"⁹

Exceptions
to principle
of
rotation

In favor of the principle of rotation in office *per se* some respectable authorities and precedents may be quoted. Jefferson thought that it would prevent the creation of a bureaucracy. Jackson himself was convinced that long tenure of office leads to laxness and corruption. Provisions are included in many state constitutions and city charters making certain prominent office holders ineligible to succeed themselves. In the case of financial posts limitations of this kind are held to be particularly valuable because they compel the settlement of accounts at regular intervals. There is little in common, however, between changes of the above sort and the indiscriminate rotation of innumerable offices, most of them petty in character, which lies at the basis of the spoils system. Nevertheless, rotation in its extreme form has not lacked apologists, most of them, to be sure, spoils politicians themselves. Few of these apologists go the length of Plunkitt, who

Defense
of spoils
system

⁸ Quoted by Marsh, *op. cit.*, p. 6.

⁹ *The American Party System*, p. 353.

held that while the civil-service law lasts "there can't be no real patriotism."¹⁰ All of them assert, however, that without patronage parties cannot exist. Since parties are generally conceded to be necessary and beneficent, every advantage that can be claimed for them is put to the credit of the spoils system by this argument. Unfortunately for it, however, our party life is most intelligent, vigorous, and successful in the field of national government where civil service reform has made the largest inroads into the volume of patronage. In spite of powerful local machines, undoubtedly built up in great part by spoils, party life is distinctly less intelligent and efficient, even less honest, in state, city, and county governments where the most abundant supply of spoils, relatively speaking, is to be found. Parties functioned efficiently in the United States during the pre-Jacksonian era, when spoils were virtually unknown. The experience of many European countries, notably of England since the reform of her civil service, shows that a vigorous party life is possible without the use of patronage.

Rotation
alleged
to be
democratic

One of the earliest arguments in favor of the spoils system was that it fostered an ambition to serve the country on the part of a great many poorer citizens, formerly excluded by a caste of stiff and arrogant aristocrats. Hence it was said to be essentially democratic and in accordance with the natural equality of men. If you do not believe that "one man is as good as another," at least you may accept the dictum of George III, himself an adept in the use of spoils, "that every man is good enough for any place he can get." At the time the anti-aristocratic argument was advanced in favor of rotation it did not lack a certain justification. Applied as it often is to-day in favor of turning out a trained and selected force for the benefit of incompetents, it takes on quite a different color. Descending from argument to epithet, spoils-men glorified their practice as "the American system," deriding "snivel service reform" as "the Chinese system." A favorite assertion, according to Roosevelt, "was to call the reform Chinese, because the Chinese had constructed an inefficient governmental system based in part on the theory of written competitive examinations. . . . The argument might have been applied still further. For instance, the Chinese had used gunpowder for centuries; gunpowder is used in Springfield rifles; therefore Springfield

¹⁰ W. L. Riordon, *Plunkitt of Tammany Hall*, p. 19.

rifles were Chinese. One argument is quite as logical as the other."¹¹

Arguments against the spoils system are based upon its effects in the fields (1) of party organization and method, (2) of administration and legislation, and (3) of political life and morals in general. So far as the misuse of patronage is responsible for the machine—and notoriously it is one of the foundation stones of such structures—the numerous malpractices characteristic of machine rule may be charged to spoils. The methods and consequences of machine domination have been discussed at length in an earlier chapter, and need not be repeated here. Suffice it to say that the anti-aristocratic arguments and democratic pretenses of spoils politicians cannot be reconciled with the actual practice of a highly centralized party organization. The latter is essentially a narrow oligarchy, if indeed it does not become a virtual autocracy under boss rule. It does not open wide the avenues to public employment on a democratic basis; on the contrary it places the power of appointment in the hands of one or a few men who in most cases are not responsible to any governmental authority for their exercise of that power. Also machine rule greatly restricts the number of those eligible in fact to appointive office. Notoriously the principle of selection which it employs is not that of fitness for the duties to be performed, but that of service to the machine, sometimes service of a demoralizing or even criminal character. With occasional exceptions citizens who are unwilling to perform such partisan service are as effectually excluded from office as they would be under any other kind of oligarchy.

Arguments
against
the spoils
system

In the fields of legislation and administration the consequences of the spoils system are numerous and sinister. Thanks to the comparatively small amount of patronage at its disposal, the judiciary fortunately escapes most of these consequences. Under the spoils system members of Congress, state legislatures, and city councils must besiege administrative departments in a constant search for the jobs demanded by their constituents. As a result the legislative work intrusted to them is neglected, while at the same time administrative officers are worried and distracted almost beyond human endurance. A governor or legislator who attempts to perform the proper functions of his office, neglecting demands made upon him for patronage, soon finds his posi-

Effects on
legislation
and admin-
istration

¹¹ *Autobiography*, p. 151.

tion made untenable by "deserving Democrats" or "deserving Republicans" back home, as the case may be. Of one such governor a party manager, quoted by Professor Merriam, remarked: "I simply do not understand Governor ——. He seems to take no interest in these appointments. He spends all of his time thinking about bills in the legislature, or about his speeches. He does not seem to care a damn about politics."¹²

Ends for
which ex-
ecutive
patronage
is used

Until a President, governor or other executive officer has disposed of the patronage under his control he may, of course, use it to induce legislators to do his bidding. It was in this fashion that Lincoln procured the passage by Congress of certain needed war measures and that Cleveland obtained the support of silver Congressmen in 1893 for the repeal of the silver-purchase clause of the Sherman Act. At the beginning of his term President Franklin D. Roosevelt is demonstrating the same technique with the most remarkable success. While executive patronage has been employed at times for praiseworthy ends, it may be turned to the upbuilding of a personal machine, to secure action from a legislature contrary to the will of the electors, or to other sinister purposes. On the other hand, once the patronage has been disposed of, disgruntled legislators and others who feel that they have been defrauded of their fair share, do not hesitate to turn against the executive and his policies. It is for this reason in large part that a mayor, a governor or even a President is so much more influential at the beginning than at the end of his term.

Sinecures
and
padded
payrolls

When the supply of patronage is not sufficient—and it never is—the legislative body is under strong temptation to create useless jobs. Pressure is also brought to bear upon administrative departments to pad their payrolls. From the spoils seeker's point of view such sinecures are eminently desirable, not only because they entail few if any public duties, but also because they leave him ample time for the performance of the partisan tasks imposed upon him by the machine. If free play is given to the pressure for jobs regardless of the need for them, supernumeraries swarm in the public service. A striking instance of this sort occurred in the Bureau of Printing and Engraving at Washington in 1877. Having been exempted even from the weak rules in effect at the time, it became a dumping ground for the favorites of members of Congress. An official report made to the Secretary

¹² *Op. cit.*, p. 104.

of the Treasury stated that over 500 employees, or 56 per cent of those in the Bureau, were unnecessary. Some of these supernumeraries were so much in the way of the regular workers that shelves had to be provided on which they spent part of their time in sleep. The unnecessary cost involved amounted to a total of \$390,000 a year.

Under the spoils system, incompetents as well as supernumeraries multiply in the public service. The few men of ability who receive appointments soon grow disgusted with their slipshod environment and turn to private employment. On the other hand, inefficient employees are extremely hard to dislodge, for the same political influence which procured them their places is ready at all times to protect them if possible. Constant intervention by legislators and political leaders in disciplinary and other matters breaks down the morale of the administrative departments. Men who attempt to serve two masters soon learn which of the two must be obeyed. Under the spoils system it is not the official master, but the political master who has the means to enforce obedience. A newly appointed bureau chief may have the most praiseworthy determination to improve the work of his force, but he soon discovers that efforts to get rid of incompetents are likely to prove futile if the latter have a political "pull." If, nevertheless, he persists until he succeeds, a berth is soon found for the discharged "martyr" in some other bureau where standards are not so high.

Discipline
vs. pull

It is in the field of political life and morals generally that the reactions of the spoils system are most deplorable. The increased cost of government due to inefficient public servants, to the large number of supernumerary employees, and to the rapid labor turnover, is, of course, reflected in heavier tax burdens. Even greater loss is inflicted upon the people by the poor quality of administrative service supplied them under the spoils system, as a result of which they suffer in convenience, business and health. Statistics quoted by E. C. Marsh show that for the seven years preceding the classification under civil service rules of the Railway Mail Service, employees handled an average of 1,230,731 pieces of mail annually with an average of 335 errors. For the twenty years following classification the average number of pieces handled annually rose to 1,504,164. The average number of errors fell from an average of 183 per employee for the first decade of this period

Increased
cost; poor
service

to 131 for the second decade. Better conditions of work and better administrative methods contributed to the improvement, but the competitive examination system must be given its share of credit, particularly for the decrease of errors. The illustration is cited because of the large possibilities of delay and loss in business due to errors in handling mail matter.

Parties
harmed by
patronage

In the broader view parties themselves are harmed by the injection of patronage. It may be admitted freely that the use of spoils contributed materially to the upbuilding of great party organizations in the United States. On the other hand, as Theodore Roosevelt observed, "patronage does not really help a party. It helps the bosses to get control of the machinery of the party."¹³ But this growth of organizations dominated by the spoils motive was not accomplished without some loss to party life on the side of principles and policies. Instead of being directed to the settlement of important issues political contests are lowered in tone and envenomed in spirit by ceaseless vindictive squabbles over jobs. Under such circumstances men of higher type turned in disgust from candidacy for elective offices. To seek appointive office on any other basis than service to the organization was, as we have already noted, futile in the great majority of cases. Large numbers of citizens who would have responded eagerly to campaigns involving real issues relapsed into apathy as a result of the ceaseless sordid struggles for patronage. Lowered standards in politics were reflected in contemporary morals. As early as 1835, Calhoun, with rare prescience, wrote of the spoils system, "Were a premium offered for the best means of extending to the utmost the power of patronage, to destroy the love of country, and to substitute a spirit of subserviency and man worship, to encourage vice and discourage virtue, no scheme more perfect could be devised."¹⁴

Begin-
nings of
civil serv-
ice re-
form

Evils of such magnitude led naturally to demands for reform. It is a curious fact that during the same period when the United States was sinking deeper and deeper into the spoils system, England, aroused by conditions in her administrative service both in India and at home, was gradually working out the means of extricating herself from ancient abuses of patronage. Reformers in the United States were thus enabled to draw largely upon Eng-

¹³ *Autobiography*, p. 147.

¹⁴ Cf. J. A. Woodburn, *Political Parties and Party Problems*, p. 258.

lish experience in the solution of the problem. However, the struggle was to prove much longer and harder on this side of the Atlantic, nor are the results attained at present so complete and so generally accepted as in England. The first federal laws on the subject date from 1853 and 1855. They required noncompetitive or so-called "pass examinations" for some 14,000 minor clerical positions. Under the noncompetitive system the examination was administered at the discretion of the department head under whom the applicant was to be employed. It was assumed that in the interest of the department he would devise tests the passing of which would guarantee fitness to perform the duties involved. Unfortunately, however, the administrative official usually feared the influence of the Congressman or other politician who was backing the applicant. Consequently, the standards set in such examinations were often farcical. At the best they excluded only impossible dunces. According to Professor A. B. Hart questions such as the following were actually asked: "Where would you go to draw your salary?" "How many are four times four?" "What have you had for breakfast?" "Who recommended your employment?"¹⁵ Of course spoils politicians found little to complain of in the pass-examination system, and the weak laws of 1853 and 1855 gradually fell into disuse. In 1864 an Act was passed providing for the appointment of consular clerks by examinations in the State Department, but it applied to only thirteen places.

The era following the Civil War was marked by a large increase in the number of appointive offices which were promptly converted to spoils uses, and by administrative scandals so gross and far reaching that they threatened to smirch the integrity of the Presidency itself. Somewhat sluggishly public opinion began to develop against the abuses of patronage. The Democratic platform of 1868 demanded "reform of abuses in the administration, the expulsion of corrupt men from office, the abrogation of useless offices." Four years later both parties declared civil service reform to be necessary, and subsequently planks on the subject have been inserted in their national platforms with two or three exceptions.¹⁶ Nevertheless, the declarations of the parties were

Attitude of
parties on
civil serv-
ice re-
form

¹⁵ *Actual Government*, p. 289.

¹⁶ The Democratic plank of 1872 was as follows: "The civil service of the government has become a mere instrument of partisan tyranny and personal ambition, and an object of selfish greed. It is a scandal and reproach upon free institutions, and breeds a demoralization dangerous to the perpetuity of repub-

taken with a grain of salt, and civil service reformers continued to receive the unmitigated abuse of "stalwart" practical politicians of both camps. How little platform planks on the subject really meant was shown by the fate of the promising reform measure enacted in 1871, following the agitation started by Congressman Thomas A. Jenckes of Rhode Island. This law authorized the President to make regulations to ascertain the fitness of candidates in respect to age, health, character, knowledge, and ability. Grant showed his good faith in the matter by appointing a leading reformer, George William Curtis, chairman of the commission to enforce the law, but embarrassments were heaped upon it, and after 1873 Congress refused even the meager appropriation necessary to carry on its work. Not till the assassination of Garfield by a disappointed office seeker in 1881 did civil service reformers find themselves backed by a public demand that was irresistible. While Garfield lay dying at Elberon the National Civil Service Reform League was organized. Ever since it has done valiant service both in agitating for legislation on the subject and in watching over its subsequent administration.

Pendleton
Act of
1883

Shortly after Garfield's death Senator George H. Pendleton of Ohio introduced a civil service bill which passed both houses of Congress, and became law with the approval of President Arthur on January 16, 1883. The Pendleton Act was "one of the most skillfully devised statutes ever passed by a legislative body," and after fifty years of experience it remains the basis on which the federal civil service rests. An important feature of the Act was the placing of large discretionary powers in the hands of the President. The extent to which these powers were exercised is shown by the following statement giving the number of offices, exclusive of the growth of the service, transferred to the classified list by each of the eight administrations following: Arthur,

lican government. We therefore regard a thorough reform of the civil service as one of the most pressing necessities of the hour; that honesty, capacity, and fidelity constitute the only valid claim to public employment; that the offices of the government cease to be a matter of arbitrary favoritism and patronage, and that public station become again a post of honor." The Republican plank of the same year stated that: "Any system of the civil service under which the subordinate positions of the government are considered rewards for mere party zeal is fatally demoralizing, and we therefore favor a reform of the system by laws which shall abolish the evils of patronage and make honesty, efficiency, and fidelity the essential qualifications for public positions, without practically creating a life tenure of office."

15,573; Cleveland, first term, 11,757; Harrison, 10,535; Cleveland, second term, 49,179; McKinley, 19,161; Roosevelt, 128,753; Taft, 47,657; Wilson, 165,515; Harding, 1,500; Coolidge, 20,365; and Hoover, 35,398. Curiously enough, a motive akin to that of spoilsmen aided in the extension of the reform. By executive orders bringing offices which had been filled on partisan grounds under the classified service, the incumbents were protected to some extent against the assaults of the opposition party when it succeeded to power. At least it could not dislodge them without seeming to take a step backward in a reform movement which had come to command wide popular support.

Turning from the federal service to that of states, counties, and cities, the picture is much less encouraging. New York was the first state to adopt a civil service Act in May, 1883. Massachusetts followed the example of New York a year later. From that date until 1905 the movement lagged, but, beginning with the latter year, ten other states have enacted civil service laws.¹⁷ One of the ten—Connecticut—subsequently passed a repealer; and in another—Kansas—the legislature refused to appropriate funds for the work of the civil service commission, the only cases of backsliding so far recorded. Although differing widely in scope and effectiveness, the state laws on the subject follow the main outlines of the Pendleton Act. Some of the state laws apply to the state service only. In four states—New York, Massachusetts, New Jersey, and Ohio—permissive or mandatory clauses applying to cities are included. Considering the bitter opposition of the politicians to every extension of civil service reform, it is a matter for distinct congratulation that more than 350 cities are now under some form of the merit system. The list includes all of the twenty largest cities in the country and seventy-two out of the one hundred largest according to the census of 1920. County government, however, remains a stronghold of the spoils system. Out of the 3,078 counties in the United States only a score have adopted any form of civil service tests.

Civil service reform in state and local government

Under the rules drawn up during the first year of the Pendle-

Classified and unclassified positions

¹⁷ Illinois and Wisconsin, 1905; Colorado and Indiana, 1907; New Jersey, 1908; Ohio, 1912; California, 1913; Connecticut also in 1913 but repealed the law in 1921; Kansas, 1916; Maryland, 1920. New York, Ohio, California, and Colorado have constitutional provisions relating to this matter. Since 1921 the Illinois law has been administered by its enemies, largely destroying its usefulness.

ton Act nearly 14,000 offices were classified, *i.e.*, made subject to examination—leaving about 96,000 federal positions outside the merit system. On June 30, 1931, there were in the executive civil service of the United States approximately 468,050 classified and 148,787 unclassified employees. In other words, while the percentage of federal offices filled by competitive examination rose from 12.7 in 1883 to 75.8 in 1931, the growth of the service as a whole was so tremendous that at the end of the period the number of places still not under the merit system showed an increase of 52,000. The same expansion has gone on, although probably to a less degree, in the service of state and local governments, which as we have just noted have lagged considerably behind the federal government in the application of the merit system. In spite of the progress made since 1883, therefore, the volume of political patronage in the country as a whole is doubtless greater than ever before.

United
States
Civil Service
Commission

Under the Pendleton Act the President is authorized to appoint, by and with the advice and consent of the Senate, a Civil Service Commission composed of three members, not more than two of whom shall be of the same party. Each commissioner receives a salary of \$5,000 annually and necessary traveling expenses. It is important to note that the Civil Service Commission is not attached to any of the executive departments nor subject to the direction of any of the heads of those departments. On the contrary, it is an independent agency of government free from all control except that of the President himself. The duty of the Commission is to aid the President, as he may request, in preparing suitable rules to carry the Civil Service Act into effect. When such rules have been promulgated it becomes the duty of all officers of the United States in the departments affected by them to aid in their enforcement. Moreover, the Commission is given power to make investigations into and reports upon all matters concerned with the administration of the Act and of its own rules and regulations. To this extent, therefore, the Commission may even sit in judgment upon the executive departments, subject, of course, to the provisions of the civil service law itself.

Among other things the rules of the Commission shall provide "for open, competitive examinations for testing the fitness of applicants for the public service now classified or to be classi-

fied hereunder."¹⁸ Such examinations must be practical in their character, relating so far as may be to matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek appointment. All classified offices shall be filled by selections according to grade from among those graded highest as the result of competitive examinations. The Commission is authorized to appoint a chief examiner and such other employees as are necessary to hold examinations in Washington and in one or more places in each state, and in general to carry out the provisions of the law and its own rules.

"Open
compet-
itive ex-
amina-
tions"

The meat of the great reform of 1883 is to be found in the foregoing provisions of the Pendleton Act. Particularly important is the clause providing for "open, competitive examinations for testing the fitness of applicants." In other words merit, not favoritism, was henceforth to decide appointments. So clearly is this its purpose that civil service reform itself is frequently and perhaps more aptly called the "merit system."¹⁹ Next to the disregard of fitness the fundamental evil of the spoils system was that under it appointments were anything but open. Under the merit system they are opened wide to all citizens of the United States possessing the necessary qualifications as set forth in the rules and in the announcements for each examination prepared by the Commission.²⁰ The spoils system made appointments depend upon the favor of Senators or Congressmen, but the Pendleton Act specifically enjoins them from furnishing recom-

Safeguards
against
political
influence

¹⁸ To certain positions appointments may be made without examination or upon noncompetitive examinations. (See list, p. 61, *Forty-eighth Annual Report*, 1931.) Also by an amendment of July 25, 1914, the Commission was given power under certain safeguards to dispense with examinations in cases where qualified persons are so rare as to make such examinations inadvisable.

¹⁹ Although commonly used in the narrower sense, civil service reform might be taken to include any change designed to improve the civil service, as, *e.g.*, a better ordering of departmental work or organization. The term "merit system," on the other hand, is perfectly definite in meaning. While the two terms are interchangeable in ordinary usage there have been instances of politicians who asserted that although unalterably opposed to civil service reform they were thoroughly in favor of the merit system!

²⁰ By an amendment of July 25, 1914, the Commission may, if there is a lack of eligibles who are citizens, examine persons who are not citizens, but the latter shall not be certified for appointment so long as citizens are eligible. Under state and municipal civil service rules, also, examinations are generally restricted to citizens, a fact which places a considerable premium on naturalization. See W. B. Munro, *The Government of American Cities*, p. 110.

recommendations to examiners or appointing officers except as to the character and residence of the applicant. Another safeguard against the use of influence is provided by a rule prohibiting questions concerning the political or religious opinions of any applicant. Recommendations which make such disclosures are not considered or filed and the persons sending them are so informed.

Is the
merit
system
"aca-
demic"?

One of the commonest objections to the merit system among the uninformed is that examinations are too "academic" or too "literary" in character, thus unduly favoring college students or other persons who have "book knowledge" only. In this connection spoilsmen of the "stalwart" variety frequently indulged in stories of a type similar to that of the applicant for a position as letter carrier who was alleged to have been asked in a civil service examination, "How many miles is the sun distant from the earth?" According to the tale the applicant stated in reply that he did not remember the exact number of miles, but was certain that the sun was so far distant that it would never interfere with him in the performance of his duties as a letter carrier! It need hardly be said that such stories were pure inventions, designed solely to cast ridicule on the merit system.²¹ One may well contrast with them the action taken by Roosevelt following the issuance of his order that Texas Rangers be placed under the rules of the Civil Service Commission. Congressmen and others joined in a lively outcry over this order, declaring that men fit for so strenuous a job could never be chosen by examination. The President asked the objectors what qualities were needed and was told, "Men who can ride a horse, shoot a gun, and speak Spanish." Immediately Roosevelt issued an order to the Civil Service Commission directing them to examine applicants for Texas Rangers as to their ability to ride a horse, shoot a gun, and speak Spanish.

Practical
tests

In point of fact every effort is made, as the civil service law itself directs, to employ tests in all examinations of a practical character, designed to discover special fitness for the kind of employment concerned. For many minor mechanical jobs the only "academic" or "literary" performance required of competitors is the mere filling in and signing of an application blank. In ex-

²¹ For the way in which one such story was run down by Roosevelt while a member of the U. S. Civil Service Commission, see his *Autobiography*, p. 153; also W. D. Lewis, *The Life of Theodore Roosevelt*, p. 92.

aminations for the various trades so-called "practical," "operating," or "performance" tests are largely used. Thus applicants for employment as truck drivers, chauffeurs, or motorcycle operators are required to take out their respective machines and demonstrate ability to handle them in the midst of ordinary traffic. Applicants for paving jobs in the department of streets and highways are supplied with the tools and materials of their trade and tested as to the amount and quality of the paving laid in a given time. Applicants for positions as stenographers and typists are required to take dictation of fair material and transcribe it at standard rates of speed or do actual typing. In many examinations for technical jobs a larger or smaller part of a man's final rating depends upon the amount of experience he has had in his line of work. For this reason high-school and college students, instead of being at an advantage, are really at a disadvantage, since few of them have had time to gain practical experience. Far from being too academic, American civil service tests are frequently criticized as being too narrowly practical for the best results in permanent appointments. English examinations for higher grade offices lay much more stress on university training, the object being not so much to discover the immediate fitness of candidates for the work they are to take up first as to ascertain what their ability to do the work will be after they have learned it by experience in service.

Tests of the sort commonly employed by larger cities for the police force give a good idea of the range and flexibility of civil service methods. Applicants must have the requisite certificates of good character and must qualify as to height and physical stamina before being admitted to the mental examination. The latter may include a few simple tests in the common branches and it will certainly include questions regarding the location of police stations, fire stations, and hospitals in the neighborhood where the applicant lives. In addition, after being told to be observant, the applicant is taken for a brief period into a room containing a variety of furniture and other articles, and upon coming out is asked to give a description of what he saw therein—a fair test, one would think, of his ability to observe and to give evidence in court. Or a notice describing a certain fugitive from justice is read to the assembled applicants which they are required to reproduce as closely as possible from memory. All

Selecting
policemen

civil service examinations to fill positions where the employee must come in contact with the general public or where he must use unusual discretion and judgment in performing his duties, lay great stress upon the oral interview. Having passed all the foregoing tests, the applicant for a job, let us say, on the force, must then present himself for a face-to-face quiz, conducted by men of large experience in choosing police officers. Questions are asked with the purpose of ascertaining the probable bearing of the applicant in dealing with citizens in various emergencies, his real reasons for desiring to get on the force, and the like. Incidentally, applicants who admit, as some do, that their motive is to wear a uniform, twirl a club, or play in the police band, do not create the most favorable impression. Finally, before recommendations for appointment are decided upon, a painstaking inquiry is made into the past life of all who succeed in passing the various tests. Loafers, men who have engaged in shady pursuits or who have a bad record in any way, are excluded.

Nonassembled tests

An objection frequently made to the merit system is that while it may be applied successfully to minor clerical and technical jobs, it is quite unsuited to positions of a professional character. Admittedly the problem presented by the latter is a difficult and delicate one. A crowd of doctors cannot be brought into a room and there examined like so many schoolboys to discover the one best fitted for the post of health officer. Superior men would refuse to submit to such an examination and only incompetents would present themselves. The difficulty is met in part at least by the nonassembled test. This means simply that candidates are not required to meet in a given room and take the examination simultaneously. Instead, a suitable task is set, as, for example, the writing of a thesis in the case of candidates for appointment as engineer, statistician, or economist; the work on this assignment is done individually and when all the papers have been sent in they are passed upon by eminent specialists. In addition a searching investigation is made of the candidates' education, training, achievements, and personal qualifications, each of which may be given a certain predetermined weight and counted in making up the final averages. By nonassembled tests the United States Civil Service Commission has filled successfully hundreds of highly technical positions requiring executive and organizing ability in the Bureau of Mines, the Interstate Com-

merce Commission, the Public Health Service, and many other bureaus and departments. Cities and states are also employing this method for positions ranging in salary from \$3,000 to \$8,000 a year. There is a possibility which is now engaging the earnest study of civil service administrators that examinations may be somewhat shortened and their results improved by the use of intelligence tests similar to those employed in the army during the World War.²²

In the federal civil service examinations papers are rated on a scale of 100, the subjects therein being given such relative weights as the Commission may prescribe. All competitors rated at 70 or more are eligible for appointment.²³ Following the marking of the papers a list of eligibles is made out, rating them in the order of their grades from highest to lowest. From the head of this list the Commission certifies to the appointing officer three names for each vacancy to be filled. Certification is made without regard to sex except in cases where the appointing officer has otherwise specified. Unless the latter objects to any of the persons certified and is sustained by the Commission in his objection, he must make selection for the first vacancy with sole reference to merit and fitness from among the highest three names on the list. Selections for second and subsequent vacancies are made in the same manner. Certification of the highest three is a peculiarity of the American practice. In England the appointing officer does not have the right of choice, candidates being appointed in the exact order of the standing they have earned. Within limits the American method enables the appointing official to take into account, if he so wishes, those desirable personal qualities in the applicants which have not been registered in their examination averages. Also, if inclined to disregard the plain injunction of the law to consider merit and fitness only, he may

Eligibility
and ap-
pointments

²² For a discussion of experiments in the actual use of psychological tests, see *Intelligence Tests in the Public Service*, by C. N. Amsden of the Los Angeles County Civil Service Commission, an address given before the June, 1923, meeting of the Assembly of Civil Service Commissions in New York City. A very valuable general paper supplemented by samples of examinations with results and diagrams is entitled "Progress in Civil Service Tests," by H. J. Filer and L. J. O'Rourke of the United States Civil Service Commission, in the *Journal of Personnel Research*, vol. 1, no. 2 (March, 1923).

²³ Except in cases specified in the Urgency Deficiency Act of July 11, 1919, which makes the passing mark 65 in the case of honorably discharged soldiers, sailors, marines, and widows of such, also wives of injured soldiers, sailors, and marines.

consult somewhat his own racial, religious, or political prejudices, assuming him to have procured information regarding candidates on these points through channels not connected with the Civil Service Commission.

Probation

During the first six months, or the first year if so fixed by regulation, the civil service appointee is on probation. If after full and fair trial his conduct or capacity is not satisfactory to the appointing officer the probationer is notified in writing with a full statement of reasons and his employment terminates. Retention in the service during the probationary period confirms his absolute appointment. In the United States service the proportion of failures on probation is very small, being about one half of 1 per cent.

Apportionment

One of the greatest technical difficulties in the administration of the federal Civil Service Act is due to the clause requiring that appointments to the public service in Washington shall be apportioned among the several states and territories and the District of Columbia upon the basis of population at the last preceding census. Distant states and those which are backward in educational facilities do not furnish sufficient quotas of eligibles. The District of Columbia and states near at hand, because of the willingness of their applicants to accept low salaries, have always had a much larger share of appointments than that to which they were entitled. By an amendment of March 7, 1918, a number of offices in the Bureau of Engraving and Printing, Government Printing Office, and elsewhere, which were particularly hard to fill under the apportionment rule, were exempted from its provisions.

Veteran preference

Honorably discharged soldiers and sailors enjoyed certain preferences in the service of the United States prior to the passage of the Pendleton Act. These were continued by the Act and have been extended considerably by more recent enactments. At present preference is given to honorably discharged soldiers, sailors, and marines, and their widows, and to the wives of injured soldiers, sailors, and marines who themselves lack qualifications, but whose wives are qualified, as follows: (1) release from all age limitations, and for many positions also from height and weight requirements; (2) requirements of an average of 65 per cent only (instead of 70) for eligibility; (3) appointment without regard to

apportionment by states; and (4) the placing of their names in the order of their ratings above those of all competitors who did not have military service. By an executive order of March 3, 1923, it was provided that disabled veterans should receive an addition of 10 points to their earned ratings. However, this advantage was restricted, April 24, 1931, to veterans who were disabled in service and whose disability continues, others receiving a 5-point preference. Under these various provisions the number of veterans receiving appointments in the federal civil service now amounts to a quarter of the total. Veteran preference is not limited to veterans of the war with Germany. It applies to all former soldiers, sailors, and marines, including commissioned officers, army field clerks, the S. A. T. C., enlisted or commissioned army and navy nurses, persons who enlisted in officers' training camps during the war with Germany, persons who served in the U. S. Coast Guard, and members of the National Guard who were mustered into the federal service. Also the Commission may exempt from the physical requirements for any position a disabled and honorably discharged veteran upon certification of the Federal Board of Vocational Education that he has been specially trained for and has passed a test demonstrating his physical ability for the class of positions in which employment is sought. When reductions are made in the force of any executive department ex-service men who are equally qualified must be retained in preference to others.

There has been a great deal of heated argument, pro and con, and not a little political agitation, over veteran preference. It may be conceded that service in the army or navy develops certain qualities useful in various branches of civil administration, notably municipal and state police forces, where such experience is often heavily weighted. Loyalty to the government as shown by a willingness to defend it in time of war should be a valuable element in the morale of any departmental force. On the other hand, the mere fact of honorable discharge is no certain index to the spirit and quality of a man's military service. If accepted uncritically it may lead to the anomaly of rewarding with public offices thousands of men "who were inducted into the army in spite of their efforts to escape their military obligations, who did not engage the enemy, and whose entire time was spent in

Arguments
on veteran
preference

enforced furtherance of their own moral, mental, and physical development under army instructions and training."²⁴

Effects of
veteran
preference

So far as disabled soldiers and sailors and their wives are concerned, gratitude is a national duty and privilege of the first rank. It should be met not by making public office a gratuity, but by a generous compensation policy. Consideration of the various preferences granted former soldiers and sailors shows that all of them lower more or less the standards required for effective service. The deleterious consequences are not great at present, but they are certain to become so when the average age of veterans of the World War passes the expectation of efficiency. In spite of assertions frequently made on this subject it may be doubted whether the demand for soldier preference has anything like a popular majority behind it. Certainly the contrary is indicated by the fate of the proposed amendment to the constitution of New York state extending preferences already enjoyed by veterans of the Civil War to veterans of all later wars. After a well-contested campaign of education it was defeated, November 8, 1921, by a popular vote of 1,090,418 to 699,697.²⁵

Women in
the civil
service

Under the merit system women have been admitted to the federal service in constantly increasing numbers. Out of more than half a million appointments made between 1883 and 1921, 27 per cent fell to them. Such discrimination in favor of men as still exists is due to the legal right of appointing officers to specify whether men or women are wanted. Except in cases where this right is exercised, women are now admitted to all examinations. During the earlier period of the merit system they made up only one seventh of the classified service, generally occupying clerical or sub-clerical positions. With the advent of typewriters, stenography, card indexes, and telephones, the number of women employees increased rapidly. In scientific work also appointing officials found that for the lower-salaried positions they could secure much better-prepared helpers by calling for women. During the World War the proportion of women appointed rose to 70 per cent of the total. Subsequently the preference accorded men who had been in military service has caused a decrease in the

²⁴ Major-General John F. O'Ryan, quoted in *Thirty-eighth Annual Report, U. S. Civil Service Commission, 1921*, p. xviii.

²⁵ Cf. *Thirty-ninth Annual Report, State Civil Service Commission, New York, 1921*, p. 12.

number of women appointed; for the fiscal year ending June 30, 1931, they received only 19.2 per cent of the 41,528 places filled on the basis of competitive examinations. However, the proportion of women employed by the government in the District of Columbia is much greater than outside, amounting, according to the most recent figures, to 42 per cent of the total in the former location and to 11.2 per cent elsewhere.²⁶ Partly because of their increasing number in public service at the time, partly perhaps because of the progress of the suffrage movement, Mrs. Helen H. Gardner was appointed one of the members of the United States Civil Service Commission in 1920, the first woman to hold that office. Since 1920 it has become customary to give one of the three places on the Commission to a woman.

The Pendleton Act provides various privileges and safeguards for persons in the classified service. It states specifically that they are under no obligation to contribute to political funds or to render any political service, and that they will be protected against removal or being otherwise prejudiced for refusing to do so.²⁷ Corresponding to this privilege, civil servants are obligated not to use their official authority or influence to coerce the political actions of others. Under an Act of Congress approved August 24, 1912 (37 Stat., 555), which has been called "the Magna Charta of government employees," no person in the classified civil service of the United States may be removed therefrom except for such cause as will promote the efficiency of the service and for reasons given in writing. The person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing and affidavits in support thereof. No examination of witnesses nor any trial or hearing is required except in the discretion of the officer making the removal.

Protection
of civil
servants

The Act of 1912 also provides that membership in any organization of postal employees designed to improve working conditions, including hours of labor and wages, shall not be ground for

Organiza-
tions of
federal
employees

²⁶ The *Forty-eighth Annual Report, U. S. Civil Service Commission*, 1931, p. 14, states that 30,294 of the 71,693 federal civil service employees in the District of Columbia are women. Outside the District of Columbia women number only 60,902 in a total of 545,144.

²⁷ For a more detailed discussion of political assessments and partisan activity, see chap. xiii.

dismissal or for reduction in rank or compensation. However, such organization of postal employees must not be affiliated with any outside organization imposing an obligation or duty upon them to strike, or proposing to assist them in any strike against the United States.²⁸ Further, civil servants individually and collectively have the right to petition Congress or any member thereof, and to furnish information to either House of Congress or to any committee or member thereof. By an Act passed in 1892 (27 Stat., 340), laborers and mechanics employed by the federal government or by contractors on public work are restricted to an eight-hour workday. Under the provisions of the Act of August 24, 1912, more than three hundred units of the Federal Employees Union have been formed and others are constantly being organized.²⁹ These units are located in forty-six states, the District of Columbia, Canada, Canal Zone, Alaska, Hawaii, the Philippines, Cuba, and Porto Rico. All of them are federated into one compact group known as the National Federation of Federal Employees, with headquarters at Washington.³⁰ The National Federation has a total membership of more than 65,000 government employees. Its constitution provides that "under no circumstances shall the Union engage in, or support, strikes against the United States Government." The methods which it employs to attain its ends are petitioning Congress, creating and fostering public sentiment favorable to proposed reforms, cooperation with government officials and employees, and legislation or other lawful means. Among its various activities the National Federation contributed largely to the success of two highly important pieces of legislation—the Retirement Act of 1920 and the Classification Act of 1923—both of which will be described in some detail later in this chapter. After an embittered fight it withdrew from affiliation with the American Federation of Labor in 1932.³¹ Nevertheless acting upon its motto that "the way to get on is to get together," the National Federation boasts that it has defeated

²⁸ In certain European countries organization of civil servants has gone much further than in the United States. Cf. E. M. Sait, *Government and Politics of France*, p. 119, and the author's *Civic Training in Switzerland*, ch. vi.

²⁹ *The Story of the Federal Employees Union*, pamphlet published by the National Federation of Federal Employees.

³⁰ At 1423 New York Avenue, N. W. The president of the National Federation is Luther C. Steward; secretary-treasurer, J. P. McKeon.

³¹ Cf. its official organ, *The Federal Employee*, vol. xvii, no. 1 (January, 1932).

unfriendly Representatives seeking reelection to the House, also that it has secured the presidential veto of bills unfavorably affecting conditions of employment in the government service. In addition to the National Federation there are two other powerful organizations of federal office holders, the National Federation of Post Office Clerks and the National Association of Letter Carriers, with 42,000 and 57,000 members, respectively, in 1932.

Examinations are employed not only to discover fitness to enter the civil service, but also to determine promotions therein.³² Better than occasional set tests as a basis for determining promotions, however, are continuous records of the diligence, punctuality, faithfulness, resourcefulness, and accuracy shown by employees. With the latter principle in view an Act was passed in 1912 (37 Stat., 413), providing for the establishment under the Civil Service Commission of efficiency ratings for the classified service in the District of Columbia. The ratings are based on records kept in each of the executive departments. A certain minimum rating of efficiency must be attained by an employee before he may be promoted, also ratings are fixed below which no employee may fall without being demoted or dismissed. Of course there is a possibility that personal likes and dislikes may enter into the ratings given by supervising officers in the executive departments. Considering the enormous number of employees involved, however, it would seem to be the fairest plan that could be devised. Definite standards of the sort provided are certainly preferable to lack of standards and the consequent opportunity for the free play of favoritism. In 1916 a further step was taken along this line by the creation within the Civil Service Commission of an independent Bureau of Efficiency to take charge of the duties relating to efficiency ratings. The bureau is also given the duty of investigating the administrative needs of the service relating to personnel in the several executive departments and independent establishments of the federal government. It is only fair to say, however, that even among civil service administrators there is some criticism of the system of efficiency ratings. One authority holds that "they have proved a stumbling-block and bugbear in both public and private employment. Few systems of ratings satisfactory to employees, to administrative officers, to the employers, or to

Efficiency
ratings

³² For the law and rules on this point cf. *Thirty-ninth Annual Report, U. S. Civil Service Commission*, 1922, pp. 9, 74.

the public have been evolved, and these have been on only a small scale."³³

Discipline
and re-
movals

Earlier critics of the merit system urged that it established what amounted to life tenure, that once in the service the employee, no matter how incompetent, was protected in his job as long as he chose to hold it. Beside the evils of a bureaucratic caste of office holders thus created, it was asserted that civil servants, feeling themselves safe from attack, would grow lax in the performance of their duties. According to one eminent authority, civil service laws were designed to a very considerable extent "for the purpose of protecting subordinates against their chiefs, and that is scarcely to be conceived as a method . . . helpful to administrative efficiency."³⁴ Since this was written, however, the system of efficiency ratings sketched above with its provisions regarding demotions and dismissals has been introduced. Under the federal law removals may be made not only because of physical and mental unfitness for the position, but also because of criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct; intentionally making a false statement in matters connected with the civil service system; and the habitual use of intoxicating beverages to excess. Appointment on probation also affords an opportunity to get rid of undesirable candidates. All together, therefore, the disciplinary means at the disposal of executive officials would seem to be sufficient. Certainly it was no part of the purpose of civil service reformers to tie the hands of superior officials and to establish a caste of life-long office holders. The National Civil Service Reform League has even opposed review of dismissals by the courts because of the consequent impairment of discipline, uncertainty of tenure, delay, cost, and demands upon the precious time of the removing official. What the reformers did protest against—and with entire justice—was removal on purely political grounds. In this connection it should be recalled that interference with discipline by politicians was one of the reasons which led to the adoption of the merit system. Certainly such interference was much more common and annoying under the spoils system than the discipli-

³³ O. C. Short, *Personnel Administration in Government*, a paper delivered at the 16th annual meeting of the Assembly of Civil Service Commissions, New York, June 20, 1923.

³⁴ H. Croly, *The Promise of American Life*, p. 335.

nary trouble complained of above has been under civil service reform.

In any large working force the problem of the superannuated employee is a most difficult one. To continue such employees at work means an impairment of the efficiency of the service; to dismiss them after years of faithful labor is heartless, particularly in the cases of the many whose salaries have been so low as to make adequate savings for old age impossible. An important contribution to the solution of the problem of superannuation in the federal government was made by the passage of the Retirement Act of May 22, 1920.³⁵ This Act establishes a compulsory, part-contributory, retirement annuity or pension system applying to all employees in the classified civil service of the United States.

Superannuation,
Retirement
Act of 1920

According to a recent report of the United States Civil Service Commission, "government work no longer attracts the best students of the schools. The number of graduates of higher institutions applying for examination has fallen off greatly, and some of the schools report that they advise their graduates to keep out of the government service. The reasons given are inadequate compensation, lack of recognition of individual work, restricted freedom of action, and the lack of opportunity for merited advancement."³⁶ At the conference on university training for government service conducted by the University of Minnesota, July 14-17, 1931, in cooperation with the Civil Service Commission and other agencies of the federal government, this subject was canvassed in detail, the results being made available in an extended report.³⁷ Incidentally an "opinion survey" made prior to the conference among senior and graduate students of the uni-

Civil service as a
career

³⁵ Chap. 195, 41 Stat., 614. The Act is reprinted with amendments and notes on important decisions in the *Thirty-ninth Annual Report, U. S. Civil Service Commission, 1922*, p. 99. For criticism of the Act from the employees' point of view together with proposals for amendment, see *Building Up Retirement*, pamphlet, undated, published by the National Federation of Federal Employees. The standard treatise on this subject is L. Meriam, *Principles Governing the Retirement of Public Employees*, published by the Institute for Government Research, 1918.

³⁶ *Thirty-eighth Annual Report, 1921*, p. 34. For an earlier discussion of this situation see E. B. Foltz, *The Federal Civil Service as a Career* (1909).

³⁷ Published by the University of Minnesota Press, 1932, under the title, *University Training for the National Service*. Opportunities available and preparation required for the 18,000 federal positions held by college-trained men and women are fully described in this report.

versity disclosed the fact that many of them believed appointments to the classified service to be affected by political considerations. It is obvious that the prevalence of such an opinion must militate heavily against the recruitment of college men and women for government service. The disinclination of students to seek government positions is perfectly well known to the faculties in all our colleges and universities. At the present time the American undergraduate contemplating a permanent civil service career is a rare exception, a state of affairs strikingly in contrast with that prevailing in English and European universities, where many of the most promising men diligently prepare themselves for just such careers. It is not the case that initial compensation in the civil service of the United States is too low. On the contrary, a few college men and women and many others of equal ability are glad to secure employment for a few years immediately after graduation in government positions, leaving, however, as soon as suitable openings in the private field present themselves. Nor is there any lack of security and permanence of tenure under the civil service law itself. Fundamentally, the trouble is due to the conviction that opportunities for promotion to higher salaries and positions of distinguished service are lacking. And such opportunities are lacking for the reason that so large a number of the more prominent offices under our government are still filled by political appointment. Not till this condition is changed, not until well-remunerated and influential careers become possible for the more gifted men and women in the civil service, can we expect the promising youth of the country to look forward to it as a lifetime pursuit. It is to be hoped that some progress may be achieved by the Council of Personnel Administration established by an executive order of April 25, 1931, for the purpose, among others, of making more attractive the prospect of a career in the federal civil service.

Classifica-
tion Act
of 1923

So far as the rectification of salary inequalities within the civil service is concerned, an important step forward was taken by the passage of the Classification Act of 1923.³⁸ This Act provides for a Personnel Classification Board to be composed of the director of the Bureau of the Budget, a member of the Civil Service Commission and the chief of the Bureau of Efficiency, or alternates designated by each of these. A point of special interest

³⁸ Chap. 265, 67th Cong., 4th Sess.

to women is the provision (Sec. 4) that "in determining the rate of compensation which an employee shall receive, the principle of equal compensation for equal work irrespective of sex shall be followed." Under the Act the board is authorized to classify government positions as follows: (1) professional and scientific service, seven grades, starting with salaries of from \$1,860 to \$7,500; (2) sub-professional service, eight grades, \$900 to \$3,000; (3) clerical, administrative, and fiscal, fourteen grades, \$1,140 to \$7,500; (4) custodial, ten grades, \$600 to \$3,000; and (5) clerical-mechanical, five grades, from 45-50 cents an hour to 80-90 cents an hour. Commenting on the possibilities of this Act, Prof. J. M. Gaus writes: "It establishes, at least, a coherent and unified salary plan. . . . It may mean, too, the further opening up of careers in the public service. . . . The new plan will provide for some scheme of advancement or promotion from grade to grade upon the fulfillment of qualifications, and for salary increases upon the maintenance of efficiency. This should encourage able men and women to enter the service, and invigorate those within it to their best efforts. The plan should also eliminate much inequality and favoritism in salary payments and promotions."³⁹

One of the greatest difficulties encountered in connection with the Volstead Act was that of recruiting honest and efficient enforcement officers. Left originally to spoilsmen the result was characterized as "the blackest spot on the horizon of civil service";⁴⁰ meanwhile the anti-narcotic bureau, operating under civil service rules, was successful to a high degree. Finally by the Act of March 3, 1927, all positions in the Bureau of Prohibition, except that of the Commissioner himself, were brought under civil service provisions. A great improvement was thereby effected, although no one would maintain that the personnel since recruited has been wholly free from dubious characters. Incidentally the federal Civil Service Commission found it necessary to supplement the usual examination test employed in such cases by a searching investigation of the life-histories of applicants for employment in prohibition enforcement work. So startling were the results that the Commission has been convinced of

Prohibition
enforcement
personnel

³⁹ "Reclassifying the Civil Service," *New Republic*, vol. xxxv, pp. 256-258 (Aug. 1, 1923).

⁴⁰ W. D. Foulke, *Good Government*, vol. xl, p. 101 (July, 1923).

the necessity of making character investigations for other law enforcement positions in the federal service. Finger printing, hitherto used almost exclusively in the detection of criminals, has also been introduced by the Commission as a means of weeding out undesirable applicants.⁴¹

Newer aspects of civil service reform

It is a one-sided view to regard civil service reform as a negative movement, designed simply to eliminate the abuses of the spoils system. The positive side of its work, that of providing businesslike methods of handling the great employment problems of government, is coming into greater and greater prominence. Personnel research defined as "the study of the conditions under which productive work may be made a truly integral part of living,"⁴² may be looked to for important contributions in this field. In 1918 the Bureau of Public Personnel Administration of the Institute for Government Research, a private organization with headquarters in Washington,⁴³ began the publication of a series of intensive studies dealing with such matters as securing high-grade recruits, devising and holding of suitable tests, classification of services on the basis of duties, working out and installation of equitable compensation plans, devising of effective efficiency rating systems, keeping the labor turnover down to reasonable proportions, determining the proper order of lay-off when force must be reduced, and securing fair retirement systems.

Political perversions of civil service laws

Ironically enough the failure of civil service reform to win a greater measure of popular support may be credited in part to its perversion by corrupt politicians. Again and again the machines controlling metropolitan cities have demonstrated their ability to so manipulate the merit system as to make it worthless, indeed worse than worthless since their crooked practice has been contrasted sharply with the fair promise of the civil service law. Mayor Thompson's administration in Chicago, for example, resorted to every imaginable type of chicanery in manipulating the classified service—arbitrary dismissals, "temporary" appointments, canceling examinations, compelling employees to engage in political work, making political assessments on em-

⁴¹ On these points see the *Forty-eighth Annual Report of the U. S. Civil Service Commission*, 1931, pp. 30, 32.

⁴² Cf. L. L. Thurstone, *Methods of Analyzing Personnel Problems*, a paper read at the meeting of the National Civil Service Assembly, New York, June 19, 1923.

⁴³ At 722 Jackson Place, W. F. Willoughby, director.

ployees, reducing the staff of the civil service commission, and the appointment of alleged "experts."⁴⁴ All these abuses and subterfuges were carried on in spite of the fact that the Chicago civil service law had always been regarded as one of the strongest in the country. Of course it is utterly illogical to condemn the merit system on the basis of such monstrous perversions; nevertheless many citizens who are interested only in results are inclined to make snap judgments in the matter. The Chicago case and others of similar character merely prove that no civil service law or system of public personnel administration can be any better than those who administer it.

Civil service reform in the United States has to its credit some inspiring achievements. On the other hand, it has fallen far short of the predictions made in its infancy by those ardent supporters who regarded it as the *sine qua non* of good government. To a considerable degree, however, this partial failure may be ascribed to the large amount of spoils still left to poison our politics. Not till counties, cities, and states generally have adopted and perfected comprehensive systems of civil service reform can the battle be counted as won. Even in the federal service the President is still called upon to perform a heart-breaking task in the matter of appointments. There are now 15,032 presidential postmaster positions,⁴⁵ and in addition 2,500 places to fill in the ex-

Too much
political
patronage
still left in
United
States

⁴⁴ For details see J. B. Kingsbury, *The Merit System in Chicago, 1895-1923* (1926), pp. 307-19. Two "building experts" and three "real estate experts" collected in the course of five years fees amounting to about \$3,000,000, a considerable portion of which presumably was turned into the campaign treasury of a local political machine.

⁴⁵ On March 13, 1917, after Congress had failed to pass a law providing for their classification, President Wilson issued an order directing the Post Office Department to certify vacancies in first, second, and third class postmasterships to the U. S. Civil Service Commission, the latter to hold open, competitive examinations to fill them. To permanently classify these offices would require the repeal of present laws providing for their nomination by the President with confirmation by the Senate, also the abrogation of the present four-year term. Shortly before his term in President Wilson's cabinet ended, Postmaster General Burleson presented figures showing that 1,102 Democrats and 907 Republicans had been appointed under the above order. However, President Harding modified it, May 10, 1921, by an executive order providing that the three highest names should be certified to him. Inquiring as to the politics of 92 appointees under the latter order the National Civil Service Reform League learned that all but two were Republicans. Cf. *Thirty-fourth Annual Report U. S. Civil Service Commission*, p. ix, for President Wilson's order, and the *Thirty-ninth Annual Report*, 1922, p. xxiii, for that of President Harding; also the report

ecutive branch, subject to confirmation by the Senate. No one questions the necessity of the appointment of higher policy-forming officials on political grounds. But the number of such officials even in the greater governments of the world is infinitesimally small as compared with those non-political offices in which the best results may be secured only through choice by merit and promotion to higher and higher ranges of opportunity and salary in accordance with demonstrated ability. Some measure of the failure of the United States to reach this practical ideal may be gathered from the fact that the English government has some fifty-six political offices, chiefly ministerial posts, as contrasted with the nearly three hundred thousand non-political offices of its permanent civil service.

Depression
and the
spoils
system

Never was need greater than in the present time of depression for the governmental economies which can be brought about by thoroughgoing civil service reform. "Abolish the spoils system now found in 2,000 counties, 38 states, and hundreds of cities," urges Professor Charles E. Merriam, "and enforce and develop the merit system where already found. . . . We can make no real progress toward genuine economy in public expenditure as long as the spoils system is tolerated."⁴⁶ Yet in spite of the depression political machines fight desperately to retain old-time spoilsmen in office while teachers, health and welfare workers, technicians and experts are ruthlessly turned adrift. "Unless the spoils system can be abolished, not only will taxes mount higher and higher and public services lag, but the industrial future of the nation will be seriously jeopardized by incompetent dealing with the vital economic affairs of the Republic."⁴⁷

Civil serv-
ice reform
still un-
finished

Finally, it is to be regretted that the agitation for civil service reform is being pushed with less vigor and effectiveness than in the early militant days. It has made progress but lost headway. With partial success, certain of the worst abuses which were the targets of reformers in the 'seventies and 'eighties have disappeared. Other political reforms—the short ballot, primary reform, direct legislation, and the like—have come to occupy the

entitled "Presidential Postmasters" made to the National Civil Service Reform League in 1922.

⁴⁶ Pamphlet on "Reducing Governmental Costs," reprinted from *Minnesota Municipalities* for May, 1932, p. 5.

⁴⁷ *Ibid.*, p. 6.

center of the stage. It may be conceded also that spoilsmen have become somewhat more cautious. The establishment of high, definite personnel standards in many large private business and professional organizations has had a favorable reaction both upon the development of the merit system and in preventing impossible appointments to political jobs. When all is said and done, however, the fact remains that the task of civil service reform is only partially accomplished. Perhaps it is too much to expect warm human enthusiasm for a cause which proceeds by competitive examinations and glorifies cold-blooded efficiency, but one cannot help wishing for civil service reform another champion as fervent and virile as young Theodore Roosevelt of the New York Assembly and United States Civil Service Commission days.

BOOK NOTES

ON THE official side the annual *Reports of the United States Civil Service Commission* from 1883 to the present year are a mine of accurate and comprehensive information. A file of these reports should be available on reference shelves at the library, and students should be urged to supply themselves with copies for recent years, also with copies of the reports of the civil service commissions of their state and near-by large cities.

On the reform side the pamphlets and reports issued by the National Civil Service Reform League and by its various state and local branches are invaluable. *Good Government*, the monthly organ of the National League, published at 521 Fifth Avenue, New York City, enables its readers to follow current developments in this field. On the history of the reform movement see W. D. Foulke, *Fighting the Spoilsmen* (1919), also by the same author, *A Hoosier Autobiography* (1922), and *Roosevelt and the Spoilsmen* (1925); and C. R. Fish, *Civil Service and the Patronage* (1920).

A very valuable collection of documents with introductions by the leading authorities of various countries is presented by *Leonard D. White, *The Civil Service in the Modern State* (1930). For the United States the text of the Civil Service Act of 1883 is given in this volume, together with later statutes and rules.

Particular interest attaches to D. B. Eaton, *The Civil Service in Great Britain* (1880). Sent to England by President Hayes to study the system there, Eaton's book was first issued as a public document (House Exec. Docs., 2d Sess., 46th Cong., XII, No. 1, pt. 7). It aroused great interest and contributed materially to the success of the reform in the United States. For a later description of the

English system with an interesting chapter (IX) comparing it and the American system, see R. Moses, *The Civil Service of Great Britain* (Columbia Univ. Studies in History, Economics and Public Law, LVII, No. 1, 1914). A. L. Lowell, *The Government of England*, also devotes two chapters (Vol. I, Chs. VII, VIII) to this topic.

The various general treatises on political parties cited in Book Notes under Ch. I all present brief accounts of the spoils system and civil service reform, the latest and best being in S. Lewis, *Party Principles and Practical Politics*, Ch. XXII (1928); H. R. Bruce, *American Parties and Politics*, Ch. X (1932); and C. E. Merriam, *The American Party System*, Ch. XI (1929). Similar brief accounts are to be found in the standard texts on federal government as follows: F. A. Ogg and P. O. Ray, *Introduction to American Government*, pp. 298-310 (1922); J. T. Young, *The New American Government and Its Work*, Ch. XXVIII (1933); C. A. Beard, *American Government and Politics*, Ch. X (6th ed., 1931); W. B. Munro, *Government of the United States*, Ch. XIII (3d ed., 1931); S. P. Orth and R. E. Cushman, *American National Government*, Chs. XI, XII (1931); James Bryce, *The American Commonwealth*, II, Ch. LXV. From the point of view of state government civil service reform is dealt with by A. N. Holcombe, *State Government in the United States*, pp. 338-342 (1928); and from the municipal point of view by W. B. Munro, *Government of American Cities*, Ch. XI (1921); and F. J. Goodnow and F. G. Bates, *Municipal Government*, Ch. X (1919). F. Exline, *Politics* (1922), offers suggestions "which will automatically produce the best government possible" by the scientific selection of public officials.

The most authoritative publications in this field are those of the Bureau of Public Personnel Administration of the Institute for Government Research, which has been referred to in the text above. These include L. Meriam, *Principles Governing the Retirement of Public Employees* (1918); L. Mayers, *The Federal Service* (1921); A. W. Procter, *Principles of Public Personnel Administration* (1922); G. A. Weber, *The Employees' Compensation Commission* (1922); W. F. Willoughby, *Principles of Public Administration* (1927); D. H. Smith, *The United States Civil Service Commission* (1928); L. F. Schmeckebier, *The Bureau of Prohibition* (1929); and P. V. Betters, *The Personnel Classification Board* (1931). The best brief general treatment of recent date is *L. D. White, "Public Administration," Vol. II, Ch. XXVII, in *Recent Social Trends* (1933).

CHAPTER XX

ACTIVE PARTICIPATION IN POLITICS

VOTING is not merely a right. In a much truer sense, as we have already had occasion to note, it is a duty. Nor is it a duty easy to perform properly. Registration is a prerequisite; both primaries and elections are of frequent occurrence; ballots are long, involving many kinds of offices and extended lists of candidates; initiative, referendum, and recall votes are increasing in number. Moreover, to vote intelligently requires some knowledge of our government, national, state, and local; some familiarity with its history, particularly in recent times; some acquaintance with our public men; some insight into the economic, sectional, racial, and other groups that are struggling for mastery; and finally some conception of the issues which this struggle has brought forth for contemporary solution. Even these requirements, imposing as they may seem, no longer suffice. Since 1914, the voter in our national elections has been called upon to consider paramount questions involving a knowledge not simply of domestic but of world politics.

What intelligent voting requires

Active citizenship begins, but it does not end, with the mere poking of a ballot into a box at the polls. Voting, with all the details thereby involved, is the bare minimum of what a democracy must ask of many of those upon whom it has conferred the franchise. If popular government is to succeed, it must secure—particularly from its more capable citizens—a variety of additional services. Fortunately for us, this higher obligation has been recognized and honored by men of light and leading from the earliest days of the republic. Every year, however, more than two millions of our young men and women reach the age of twenty-one, the vast majority of whom thereupon acquire the legal right to vote. Political consciousness may have come much earlier, but political interest and a desire for public service are frequently not manifested until after an economic foothold has been secured and a family has been founded.¹ Since the adoption of the Nineteenth

Political services in addition to voting

¹ As to the dawn of political consciousness, C. E. Merriam, *American Party*

Amendment the number of American women of all ages who are sincerely eager to be of public service has grown rapidly. For the more promising citizens of these and other classes some discussion of the various avenues of approach to political activity may be helpful.

Kinds of
political
service

To the great majority, of course, political service can be and should be a part-time occupation only. For this reason the advice given by the late President Hadley of Yale is of peculiar value. Starting with the assumption that every American citizen ought to assume political responsibilities, he holds that there are at least four different ways in which this can be done. "One may desire to go into politics as a most important part of the business of his life. . . . Another may strive to influence the conduct of our public affairs indirectly, by his activity in behalf of civil service reform and other measures calculated to promote better government. A third may reserve his political activity for special emergencies, when some grave crisis, national or local, justifies him in an exceptional expenditure of time and strength. A fourth may content himself with that general influence on the conduct of public affairs which is exercised by every citizen who forms his moral judgment independently and expresses it fearlessly."²

Reform
organi-
zations

Leaving the professional attitude for detailed discussion later, some suggestions may be made for that much larger and extremely useful class of persons who must play on the scrub team of politics. President Hadley cited civil service reform as an example of the measures calculated to promote better government. In preceding chapters a number of other worthy political causes have been noted, among them direct primary elections, Corrupt Practices Acts, the short ballot, proportional representa-

System, p. 28, holds that "it frequently appears as early as ten or twelve years of age." The proportion of hereditary voters he places at 75 per cent. Tests of Swarthmore College students in elementary political science classes made during a number of recent years show that under twenty-one years of age, 60 per cent, and over twenty-one, 70 per cent had made a choice of parties. Nearly all, however, disclaimed any intention of voting straight tickets. Family influences, decisions upon a few leading issues, and admiration for prominent political personalities were mentioned in the order named as bases of choice. On the cultivation of political interest among school children cf. *The School Republic* and other works by W. L. Gill; also the excellent series of articles in the form of fiction by W. Heyliger in the *American Boy*, issues of November and December, 1922, and May, 1923.

² *Standards of Public Morality*, p. 133.

tion, the initiative, referendum, and recall. Special organizations national in extent exist to promote some of these measures. Citizens who intend to devote themselves to one of these specialized forms of political activity will find membership in such organizations indispensable. There are other organizations, also national in extent but more general in their purpose, which publish periodicals, supply literature, maintain speakers' bureaus, and send experts to communities which are engaged in the solution of certain political problems.³ Both types of organizations welcome all citizens interested in their work who are eligible under their rules. A small annual fee is charged for membership.

City gov-
ernment

Citizens interested in city government will find that field well cultivated. There is a national organization, general in scope—the National Municipal League; various state organizations, also general in scope—*e.g.*, the Municipal Government Association of New York State, the Ohio Municipal Association, and the Massachusetts Civic League; a national organization of limited aims—the City Planning Conference; national associations composed of municipal corporations or city officials—*e.g.*, the League of American Municipalities, associations of city engineers, health officials, police chiefs, fire chiefs, park superintendents, and the like. In each of the larger cities of the country there are a great variety of local organizations directly concerned with municipal affairs—*e.g.*, voters' leagues, taxpayers' associations, improvement societies, the city club, the bureau of municipal research. Other organizations, although primarily commercial, industrial, or professional in purpose, devote some share of their time to the welfare of the city. Among these may be mentioned chambers of commerce, boards of trade, merchants' associations, labor unions, architects' associations, and medical associations.⁴ Political bosses of twenty-five years ago were wont to sneer at all this "goo-goo" activity, but they have since learned to take good government movements more seriously. Among the many notable achievements of the latter the rapid extension of the home rule and optional charter systems and the numerous adoptions of commission and city-manager types of municipal government may be

³ The National Municipal League and the National League of Women Voters, for example. Further information regarding these organizations is given in Book Notes following this chapter.

⁴ For a discussion of the work of these various types of municipal reform organizations see W. B. Munro, *The Government of American Cities*, chap. xiv.

mentioned as contributions of the first importance to the political development of our time.

County
govern-
ment

Reform organizations are so numerous in American cities that part of their work overlaps. County government, on the other hand, has been aptly called "the 'dark continent' of American politics." There is an enormous and almost virgin field here for cultivation by local organizations somewhat similar to those operating in municipal politics. A recent systematic investigation of county government reveals the encouraging fact that "such organizations as the National Short Ballot Organization, the National Municipal League, the various political science associations and clubs and civic bodies everywhere, are turning their attention to this problem."⁵

State
govern-
ment

State government has received much more attention than county government. As earlier chapters have made clear, most of the reforms dealing with nominations, elections, and party methods generally have been accomplished by state legislation. Much remains to be done, however, particularly in the line of administrative reorganization. The experience gained under the more progressive forms of city government will be helpful and such organizations as the National Short Ballot Organization, the National Municipal League, and the National Institute of Public Administration are giving a large share of their attention to this field.

Federal
govern-
ment

At Washington there are so many investigating and reform organizations that Congress and the departments grow restive at times under their constant prodding and Argus-eyed glare.⁶ We are not concerned here with the innumerable lobbying agencies representing various corporate and selfish interests at the national capital.⁷ Powerful professional and trade associations interest themselves more or less persistently in federal legislation and administration—*e.g.*, the National Association of Manufacturers, the Chamber of Commerce of the United States, the Grange, the American Federation of Labor, the Railroad Broth-

⁵ K. H. Porter, *County and Township Government in the United States*, p. 290.

⁶ In this connection special mention should be made of the National Popular Government League, Judson King, Director, 637 Munsey Building, Washington, D. C.

⁷ For a statement regarding lobbies in Washington see André Siegfried, *America Comes of Age*, ch. xviii.

erhoods, the National Education Association.⁸ Besides these there are many purely reform organizations which devote themselves to the public welfare, as they conceive it, among them the Anti-Saloon League, the International Reform Bureau of the World Temperance Foundation, the American Peace Society, the Navy League, the National Council for the Prevention of War, the National Security League, the National League of Women Voters, the National Consumers' League, and the American Association for Labor Legislation.

As the foregoing paragraphs show, President Hadley's second method of assuming political responsibilities requires for effectiveness some measure of specialized study of the reform or reforms chosen as "calculated to promote better government."

In consequence this method is more likely to be followed by men and women of scholarly training or habit. However, the other three suggested methods of assuming political responsibilities may be undertaken with success by men and women in all walks of life. Regardless of the possession of college degrees or high-school diplomas citizens may come to the front in times of crisis, or they may exert an influence upon the conduct of public affairs at all times by independent judgment and fearless expression of their opinions. Those who go into politics with the purpose of obtaining office may even find a college degree somewhat of an embarrassment at an early stage of their career. Certain it is that the effort to be politically effective in any one of these three ways, and particularly in a professional manner, will involve active membership in political clubs and on political committees.

There is no single method of "breaking into the organization," as Theodore Roosevelt phrased it.⁹ Much depends upon the intelligence, training, character, and purposes of the man or woman who is making the start. It is obvious also that methods well adapted to one kind of community might prove unsuccessful elsewhere. On the other hand the door to political opportunity stands wide open at all times and to all classes and conditions of men. Political parties require a great variety of services involving every grade of talent from the highest to the lowest. For part only of this are they able to pay, hence "willing workers" are

Other
forms of
political
activity

"Breaking
into the
organiza-
tion"

⁸ Cf. C. E. Merriam, *The American Party System*, p. 224.

⁹ *Autobiography*, p. 63.

always welcome. Moreover, political parties can win only by collecting majorities and therefore are much more catholic in welcoming adherents than churches, clubs, corporations, or any other form of association. So true is this that a study of the careers of many prominent American statesmen and of nearly all politicians and office holders of lesser degree will show that they did not choose politics deliberately as a profession; rather they drifted into it partly by chance, partly because so many political doors stood invitingly open to them. As a recent writer puts it in the vernacular, "The typical member of a political club joins in his youth, because he finds that, after a fellow has spent one evening a week at each of such diversions as taking in a vaudeville show, seeing a movie, calling on a girl friend, going to a dance, etc., there still remain one or two evenings a week when a fellow can think of nothing better than to go up to the club and play pinochle or shoot pool."¹⁰ Of course the great majority of such tyros are content merely to pay dues and to take advantage of the social opportunities offered by the club. So far as its political activities are concerned, they simply "go along." Nevertheless, the control of a large mass of mere dues-payers and voters is a political asset of extreme value. On the other hand, a few of the new members of such clubs discover within themselves a real political interest in, and certain aptitudes for, political work. In consequence they soon become active party agents and ultimately the more able become leaders of greater or less power.

Start in
your own
precinct

What advice may be offered to persons who wish to assume active political responsibilities? On this point the writer has consulted personally and by correspondence a large number of statesmen and politicians of various party affiliations, whose combined experience covers a wide range of activities, national, state, and local, in both public and party offices. To a surprising extent these authorities agree in the advice they offer. On no point are they more unanimous than that the beginner must make a start

¹⁰ B. Deutsch, "College Students and Politics," *School and Society*, vol. xvi, pp. 673-680 (Dec. 16, 1922). For younger students W. G. Shepherd, "How Men Get into Politics," *American Boy*, vol. xxiv, p. 12 (Dec., 1922), will be found useful. The latter magazine is conducting an interesting campaign for "turning American boys and girls into politicians." The series by H. H. Curran on "John Citizen's Job" in the *Saturday Evening Post*, April 7, 21, May 26, June 30, and September 30, 1923, is also very helpful. It was published in book form in 1924.

in his own precinct, ward, or division. As Senator Hitchcock phrased it: "Like charity, politics should begin at home. . . . To succeed a man must begin with local questions in the precinct, the ward, the city, or the county. They are the natural stepping stones up to the questions in the larger fields of state and nation, and most men who have come into public life have come by that route. It may not interest a young man to go to meetings where the subjects of discussion are paving or grading or local taxation, but those are the questions that most men must naturally begin with." And the "best avenue of entrance," according to former Secretary Newton D. Baker, "is by association with a ward or other local organization of the political party or group most to his liking. He can there find a group sufficiently small to be within the range of his possible intimate personal acquaintance, and a forum in which whatever talents for political helpfulness and organization he has can be developed." Almost every letter received emphasized the necessity of making a local beginning. A prominent woman leader advised starting from the family fireside itself, adding that "the first observation of the workings of politics should be made in the home. That connects the young student directly with matters largely municipal, such as the schools, the roads, the pavements, the sewers, garbage disposal, the fire department, the police department, the health department, etc. It is a near step then to the study of questions submitted regarding these matters. Almost every boy and girl can frame a sound opinion whether or not new jails are needed, new bridges or public improvements of a general character."¹¹

To begin locally, then, means to get into touch with the local committeeman or with certain local leaders. Perhaps a word of caution is needed here. A citizen may have chosen his national party with due deliberation and yet be completely ignorant of the character and purposes of its nearest local leaders. Since his association with the latter is bound to be close, it is essential to study them carefully. This is not to be done in any Pharisaical spirit, nor should too much credence be given to local gossip. Thus the leader of the Republican organization in a large eastern state wrote: "First I should unquestionably make the acquaintance of

Getting in
touch with
the local
commit-
teeman

¹¹ It will be observed that this is the point of view of the community civics now so largely taught in the schools of the country. For an admirable recent text-book on this subject see E. C. Levis, *Better Citizenship* (1930).

the election district and county organizations. Not of necessity that these organizations should be supported by the man in question, but that he should know about them first hand, and not through reputation created by opponents." As we have already learned, leadership in any district usually reflects the quality of the citizenship of that district. If the beginner finds the character and aims of the party's local leaders such that he can support them on the whole, he may offer them his cooperation. If, on the other hand, he finds them unworthy of support he will do well to look up the leaders of the opposing faction. Certainly one must accept Theodore Roosevelt's dictum that "no man who is worth his salt has any right to abandon the effort to better our politics merely because he does not find it pleasant, merely because it entails associations which to him happen to be disagreeable."¹²

Formation
of inde-
pendent
clubs if
necessary

In certain districts it is possible that the citizen may find the local situation hopeless in that the leaders of both factions are pursuing aims which he feels bound to oppose. Let him then get out among his friends and organize a club of his own, aided by which he may become an independent political factor and, in time, perhaps, win the leadership himself. In any event, if he can succeed in rallying any considerable number of adherents to his banner he will find the older leaders inclined to treat with him for his support. On this point the late Franklin K. Lane, Secretary of the Interior under President Wilson, wrote: "I suggest that you tell your young friend to join the political club in his neighborhood. If there is no political club that fits his fancy, see if there are enough of his chums to form an organization. A political organization is just like a fraternal organization—men will rise in it who do the work for it and who show wisdom and tact. The best kind of political organization for a young man to join is one made up of all grades of people; the poorest kind of political organization is one made up of what the boys call 'highbrows.' I have never been a practical politician, but I think that if I were going into practical politics I would try to organize the workingmen, the street-car drivers, brakemen, firemen, and clerks and use them as a club to compel respectable nominations."

It may happen that the services of beginners, especially if they

¹² *American Ideals*, p. 48.

seem too ambitious in their aims, will not be welcomed by the local leader or boss. The latter may fear that, once having gained experience and skill in party methods, the newcomers may turn out to be rivals or at least have "to be taken care of." Professor Merriam tells a story of one local boss who was asked why he had discontinued the meetings of the ward club in his district. "Because," he said, "it is only a nursery for upstarts, and I have too many statesmen on my hands now."¹³ In general, however, this attitude toward beginners is unusual. If a faction or party is in thorough control of a given territory, if, moreover, it is already oversupplied with active workers and with plentiful campaign funds, such an attitude may indeed be manifested. Thus a member of the state legislature from the seventeenth Philadelphia district, which at that time had shaken off machine control, wrote: "It is much more difficult to break into a Republican organization as an active factor than it is into our independent organization. We are continually hunting for men who will take an interest, and any man who actually will work will find plenty to do, plenty of chances for the assumption of political responsibility." If, on the other hand, the strength of the two parties is fairly evenly divided or if there is any threat of factional warfare, it might prove suicidal to refuse the proffered aid of newcomers. Also, as we have already noted, there is a virtually unlimited amount of party work to be done. Finally, most established political leaders or bosses have a robust, an even overweening, confidence in their ability to deal with "upstarts."

Beginners
usually
welcomed

Once having made connection with his local organization, all the political authorities consulted agree that the newcomer in politics should with due modesty "begin at the bottom" and exhibit a willingness to undertake any kind of work for which he is fitted and which the interests of the party at the time may require. "It is quite simple and easy," writes Elihu Root, "for any intelligent young man to take part in the activities of a political party in the United States. He has only to select the party the ascendancy of which he considers most desirable, and let the recognized party officials of his own home know that he is willing to work. He will promptly find himself admitted to membership in whatever may be the simplest form of political organization or association in the locality, and will find himself provided

New-
comers
must "be-
gin at the
bottom"

¹³ *The American Party System*, p. 106.

with plenty of work to do. It may be very far from the advocacy of principles and influence upon the policies and direction of government in which he would like to engage. He cannot begin by leadership or by dictating party policies, and he probably cannot assume in the beginning any such position of superiority as he may think his education and intelligence entitle him to have. The work in which he will be engaged at first may be simply the details of local organizations, which will perhaps seem of little consequence; or engaging in struggles between candidates for small offices, in which he does not take very much interest; or canvassing from house to house to ascertain the political affiliations or preference of the residents."¹⁴

Political
work suit-
able for
beginners

There are many forms of political work suitable for beginners in addition to those mentioned by former Secretary Root. They range from addressing and stamping campaign literature, filing and card indexing, to "bell ringing," collecting campaign contributions, and "making stump speeches in the little red school-house or on street corners." The beginner may gain experience to his advantage in any of these lines of work, but naturally he will prove most effective by testing out his aptitudes and devoting himself as soon as possible to the work for which he is best fitted. He may discover that he has capacity for independent leadership, readily attracting a following willing to accept his direction. Or without such capacity, he may possess the loyalty and industry needed in dependable assistants and trusted lieutenants. If he has a genius for organization, it is certain to be discovered and utilized in a political environment. If he is gifted as a writer he may best be employed as an author of campaign "literature" or in publicity work. Those who are looking forward to candidacy for office will naturally endeavor to secure such forms of party work as will bring them most frequently and favorably to the notice of voters.

Learning
to get out
the vote

Some details regarding the work of a beginner in politics may prove helpful. "He should give much study to the election laws, a knowledge of which is absolutely essential. The question of getting out the full vote on registration days, at the primary election, and at the general election, becomes one of absorbing interest. He should be resourceful in knowledge of the right to challenge a vote when illegal, and, if he can, he ought to serve

¹⁴ *The Citizen's Part in Government*, p. 61.

on the election board, or as watcher at the polls, to be present when the vote is counted."¹⁵

"If opportunity offers," writes Robert D. Dripps of Philadelphia, "the experience gained by a personal canvasser from house to house in the interest of the party of his choice is of profound value. It tests out a man's theories, sometimes in a rather trying way; it provides him with new political acquaintances; if his work is well done it commends him tremendously to the political leaders of the ward; it gives him a basis for conversation on political subjects of a very practical sort, and in general is, I think, of the first importance. . . . The beginner should also secure an introduction at the earliest possible date to the councilmen, representatives, state senators, and other office holders of the general character indicated, representing the section in which he lives. If he is willing to engage in stump speaking he should make the fact known, both to the ward leaders and to the office holders. Very often stump speaking can be better undertaken through assignment by a city or state committee to some locality other than that in which a man lives, for then if he makes a fool of himself in his early efforts he is not so apt to leave unpleasant memories behind in his home district. Whether or not he engages in stump speaking, he should make it his business to attend political meetings and listen to the speeches there made, taking particular pains to observe the effect which they seem to have on the audience and taking notes, either then or later, of the points which seem especially impressive." Considering recent campaign developments the young politician of today should also learn to speak over the radio as soon as possible.

Can-
vassing;
stump
speaking
and other
activities

But what of devotion to ideals, loyalty to principles and policies, formal knowledge of the science of government as necessary to the equipment of the beginner in politics? It must be admitted that considerable difference of opinion exists among active political workers as to this question. On the one hand are those, chiefly of independent and progressive tendencies, who glorify ideals and principles. On the other hand those who have had long experience with the regular organizations are inclined to question the value of such factors, or to preach caution in their use, at least in the earlier stages of a political career.

Ideals and
principles

¹⁵ D. Lloyd Claycomb, formerly member of the Pennsylvania legislature from the first district of Blair County.

Advice of
radical
leaders

So important is this point that it may be well to quote at some length from the two types of advice offered. As illustrative of the first type Virgil Hinshaw, a well-known Prohibitionist leader, wrote: "First one should have at heart some great cause, the success of some issue vital to the nation's welfare. Whittier said: 'Young man, ally thyself in thy youth with some righteous, unpopular cause and live and work to make that cause popular.' . . . Second, one should go direct to the people for recognition. He need not court old politicians or statesmen who are now in office." And a Socialist party official gave the following advice: "First of all, every young man should make a thorough study of the principles and policies of the various political parties. If he can assume the mental attitude of the student, who looks at or should look at every question with an impersonal eye, he will have a big advantage. . . . One would have to spend at least a year's assiduous study if he wants to master the socialist philosophy. . . . Our attitude is to examine carefully into social conditions and ascertain what *ought* to be done, regardless of the ignorance of the people and regardless of whether they want it or not. We believe that if they understood they would want immediately what we think is needed. . . . This attitude forces us to take a stand far in advance, a stand which is necessarily unpopular, but which in time will become popular, if it is right and in line with progress."

Advice of
old party
leaders

Contrast with the foregoing the following from a Pennsylvania Republican of independent affiliations: "It is naturally of paramount importance that a man should be thoroughly acquainted with the current literature not only of his own party, but of those with which it is in conflict. I question, however, whether the reading of elaborate treatises on political theory and the like is of the slightest use in the early stage of a man's political life. It seems to me that his efforts to obtain information as to the problems actually before the electorate would be better directed if he attempted to question the voters of his own division and the local political leaders and office holders of the same political faith as himself."¹⁶ In a similar vein the late Senator Tillman of

¹⁶ Robert D. Dripps of Philadelphia. The above quotation should be read in connection with the longer passage from the same letter quoted above, particularly the references in the former to canvassing. It would be possible to give from letters received a large number of similar pieces of advice. Thus former Governor William C. Sproul of Pennsylvania, himself a graduate of Swarth-

South Carolina wrote: "Political science is not less of the heart than of the head. Knowledge of government alone will not enable our young men to become public servants of the highest type; they must back up their knowledge with a sympathetic understanding of the conditions under which the average American citizen lives. They must get the viewpoint of the man farthest down; for he, too, is a part of the Republic."

As a matter of fact, the difference of opinion, noted above, as to the value of information and ideals is more apparent than real, although there is a deep significance in the greater relative importance attached to these factors by progressives and radicals. Leaders of the latter type are much more ready to listen to philosophers, saints, and seers; nevertheless, they will be found teaching the necessity of organization and personal contact with the masses. Old party leaders, on the other hand, are willing to acknowledge the validity of revelations from persons of superior intelligence or moral insight, but they lay stress also on organization and on the necessity of listening to the voice of the people. Of course it is as easy as it is customary to satirize the latter attitude as "keeping one ear to the ground." There is, however, a certain democracy about this attitude; also it avoids the unpromising austerity and intellectual snobbishness manifested by some of those who go to the other extreme. On many public questions the masses of the people speak directly from experience and with greater wisdom than the *intelligentsia*. Yet to ignore the conclusions of the latter on the complicated issues of

Principles
and con-
tact with
people both
needed

more College, wrote: "The young man coming out of college should, as far as he is able to do so, get into intimate contact and association with the ordinary man. . . . He will get a better idea of the influences, good or bad, that are at work on the great bulk of the voters and will have a chance to talk *to* them instead of talking *at* them. The trouble with most college men whom I have seen in politics is that they have wanted to start to advise and lecture the voters from the platform and to mold public opinion without much knowledge of the material with which they are trying to work." Organization politicians do not hesitate to express the low esteem in which they hold "academic ideas" and "political science." Thus a former leader in the Pennsylvania Legislature writes: "It does not do for a young man to insist too strongly upon academic ideas that he may have absorbed from works on political science which differ largely from the views of persons of practical experience and which may be entirely at variance with the views of a majority of persons in the political district where he desires support. I believe that we all have abstract opinions for the general betterment of mankind, but the feasibility of the same is a matter that must be reckoned with and common sense must be applied in their expression."

modern government is to court disaster. In practical politics a working combination of these two elements must somehow be effected.

"Service a little out of the common"

As a type of shrewd working compromise on this issue, touched with a little Machiavellianism, the following from the former governor of a seaboard commonwealth may be quoted: "To be a leader among his acquaintances a man has to impress upon them that he possesses a willing ability to serve a little out of the common. This is done frequently by personal contact and personal interest, and by making public affairs the subject of conversation with his friends. He must be a good listener and ever ready to take everybody's advice. Should he desire to spread or extend his influence beyond his personal acquaintance, it becomes necessary that he identify himself with some idea of public government a bit unusual, and convince a certain number of people that that is what they want. The plausibility of the idea is more important than its soundness, and his ability to talk attractively about it and to get into the newspapers as being identified with it is more important than either."¹⁷

Roosevelt's methods

Similarly, but less cynically, Theodore Roosevelt once referred to himself as a "great sounding board" for popular ideas, declaring that he "collected and reflected doctrines of the day."¹⁸ A study of the great Progressive's career will illustrate at every turn the extreme ability with which he injected academic ideas into practical politics. "People used to say of me," he told one of his friends, "that I was an astonishingly good politician and divined what the people were going to think. This really was not an accurate way of stating the case. I did not 'divine' what the people were going to think; I simply made up my mind what they *ought* to think; and then I did my best to get them to think it. Sometimes I failed and then my critics said that 'my ambition had overleaped itself.' Sometimes I succeeded; and then they said that I was an uncommonly astute creature to have detected what the people were going to think and to pose as their leader in thinking it."¹⁹ According to another of his biographers, Roosevelt said that at one period he began to believe that he had a future, and that it behooved him to be farsighted and scan each

¹⁷ Phillips Lee Goldborough, Maryland.

¹⁸ C. E. Merriam, *op. cit.*, p. 38.

¹⁹ J. B. Bishop, *Theodore Roosevelt and His Time*, vol. ii, p. 414.

action carefully with a view to its possible effect on that future. "This," he adds, "speedily made me useless to the public and an object of aversion to myself."²⁰

On one point all advisers who touched upon it are agreed, namely that at the beginning of a political career the young man or woman should cultivate a becoming modesty. College graduates are particularly warned that no matter what they may have gained from contact with books and academic influences, they have lost something in the matter of contact with their fellows. Of course the tendency to look upon college graduates as "highbrows" or "silk stockings" differs with the locality. A good football record usually reduces it considerably. At the beginning of a political career college men may find themselves at a distinct disadvantage with the high-school or common-school lad who has remained a member of the "bunch" in the old home town. Of course in this respect politics is exactly like any other business or pursuit. Apprentices are not looked to for advice or leadership until they have learned the essential processes of the trade. Thus a mid-western United States Senator wrote: "Pushing to the front is a thing that can easily be overdone and a great deal of caution and finesse is required in self-boasting if a reaction is to be avoided. Many young men would make more permanent headway by a little more modesty, and by not 'crowding the mourners' too fast."

Modesty
insisted
upon for
the be-
ginner

While modesty is thus insisted upon as most becoming during one's apprenticeship, it is a virtue which finds few admirers in the subsequent stages of a political career. Candidacy, which is the next step, has little in common with the timid and shrinking violet. On the other hand, the political aspirant is abundantly exhorted to practice consistently many other virtues and to develop a number of good qualities. In the aggregate these make an imposing list, although, of course, each writer mentioned two or three only. Among the praiseworthy qualities thus inculcated the largest number center about the cardinal virtues of truth and loyalty, as follows: candor, consistency, conscientiousness, fidelity, honesty, integrity, probity, sincerity, and earnestness. Aggressiveness, courage, fearlessness, energy, initiative, punctuality, and perseverance are next in the number of their admirers—perseverance, by the way, being more frequently commended than

Other vir-
tues as
politicians
see them

²⁰ W. D. Lewis, *Life of Theodore Roosevelt*, p. 59.

any other single quality. Common sense, a sense of right and justice, a sure judgment, ability to sustain defeat with equanimity, and sympathy with the masses of the people are also praised. Conversely, dishonesty, iniquity, selfishness, and shiftiness are severely reprobated. Regarding personal conduct, Theodore Roosevelt sounded an important warning in his statement that "no man can lead a public career really worth leading, no man can act with rugged independence in serious crises, nor strike at great abuses, nor afford to make powerful and unscrupulous foes, if he is himself vulnerable in his private character."²¹

Sincerity
of this
advice

To many readers, no doubt, this heaping mass of angelic advice, offered by successful to aspiring politicians, will smack of hypocrisy. Yet there is every internal evidence of sincerity on the part of those who offer it. It comes in almost equal measure from organization politicians and from independents or progressives. Curiously enough, the advice offered by women makes almost no mention of virtues and amiable qualities, being in that respect more matter-of-fact than the advice coming from men. There is a solid substratum of belief that the same qualities that make for service and success in other pursuits make for service and success also in politics. After all, the question of sincerity resolves itself largely into one of standards. It is not abstract truth, courage, sympathy, and the like that are advocated, but these virtues in their relations to commonly accepted rules of conduct in various political circles.²²

Political
acquaint-
ances

Certain other matters of conduct deserve special mention. "Every young man who aspires to politics must begin in the old way, and the first essential is acquaintance. The ability to recognize a great number of faces is not sufficient; he must be able to clap the right name to the right face, and that, too, without a moment's hesitation. Sometimes the faculty is a gift, but it

²¹ *Autobiography*, p. 84.

²² Even in so highly reputable a body as the House of Commons a distinction is recognized between "truth" in the abstract and "government truth." Cf. C. F. G. Masterman, *How England Is Governed*, p. 221. On the other hand, the most practical of American politicians profess the highest standards of honor with regard to definite promises. The writer recalls but one exception to the latter rule, that of former Mayor Pingree of Detroit. "Thoroughly honest and trustworthy except when he was in a political contest, then . . . he never hesitated to promise the same place to more than one man." T. L. Johnson in his *My Story*, p. 96, refers to this trait among others as proving that Pingree was not a boss.

may be immensely cultivated. . . . The prime asset, viewed from a purely practical standpoint, for any young man ambitious in the direction of politics, is the number of people whom he may greet by name, pleasantly and naturally."²³ Regarding the cultivation of this faculty, it is reported that some politicians keep a card-index record of all visitors, covering various facts regarding their appearance, qualities, residence, family and business connections, and political ambitions. Before a second meeting the private secretary places the record in the hands of the politician, who is thus able to demonstrate an apparently marvelous memory of and interest in the affairs of his visitor.

There is sharp difference of opinion regarding the propriety of joining various social organizations in the hope of gaining their support politically. Thus one writer naïvely advises: "As to affiliations with organizations other than those of a political character, that must be determined according to the strength and influence such organizations have in the community where the young politician is going to test his political strength. I know of no secret organization that will participate in a political contest as an organization, but in spite of that fact, being a member of such organizations has its silent influence. . . . Again, my last advice would be: 'Be sociable and courteous.' It will win more votes than money can secure." This writer blandly added an extended list of his own secret societies and clubs. On the other hand, the late Senator Tillman characteristically wrote: "No man should mix his social or religious life with his political activities. The man who joins a fraternal order or a church with an eye to its effect on his political ambitions is not fit to be the candidate of any decent party. The people, who, by the way, are not idiots, know this, and sooner or later will damn the 'social-religico statesman' as they ought to do."

Joining
various
social or-
ganizations

In spite of Tillman's severe arraignment, a study of local politicians generally, not to speak of statesmen of higher rank, will reveal that, whatever their motives, they are affiliated with an unusually large number of fraternal, religious, business, and other social organizations. Commonly also they make generous contributions to and take a prominent part in the work of such bodies. While frequently noted in conversation, this practice is seldom condemned by the press or political opponents. Of course,

Criticism
of "join-
ers"

²³ R. K. Young, formerly State Treasurer of Pennsylvania.

no question is involved as to the entire propriety of joining those social organizations in which one has a real interest. But to affiliate with other organizations, as many as possible, merely for political effect—to become a “joiner,” as the popular phrase has it—is clearly one of the many forms of “peanut politics.” It is an evil which is more contemptible than menacing, but an evil none the less. From this point of view the following comment from a prominent woman leader of Pennsylvania is significant. “I realize that many men consider it an advantage to belong to the Masons, Moose, Eagles, or Owls. My experience is that it is a wrong system and tends to create a network of indirect influence which is highly undesirable, as it tends to permit deeds of so-called philanthropy to involve a purely political question, and fosters a kind of personal loyalty which biases the judgment of men on issues which should be entirely impersonal.”

Manner-
isms and
nicknames

Mannerisms, peculiarities of appearance or of attire, nicknames and affectionate sobriquets, unquestionably make up part of the stock in trade of many political leaders. To be called “Big Bill” instead of a stiff and formal “William”; to enjoy such an appellation as “Honest John,” or even to be known as “Tubby”—is worth votes at the polls. Cannon’s everlasting cigar rakishly uptilted from the side of his mouth, Taft’s embonpoint and irrepressible chuckle, Theodore Roosevelt’s teeth and eye-glasses, and “Al” Smith’s brown derby were capital examples of mannerisms which served both to identify and popularize their owners. Of a somewhat different character are such “purposed affectations” as Disraeli’s extraordinary taste in waistcoats.²⁴ Thus a former governor of New York was said to have “cultivated a resemblance” to Henry Clay. A Congressman from the same state managed to make himself instantly known at the capital and throughout the country by adopting for headgear an enormous dun-colored beaver hat of the vintage of 1840. It is a fact worth observing, however, that not one of the American statesmen consulted regarding the career of the political aspirant made any

²⁴ J. A. Froude, *Lord Beaconsfield*, pp. 53, 70, says his dress “led the listener to look for only folly from him, and when a brilliant flash broke out it was the more startling as being so utterly unlooked for from such a figure. Perhaps he overacted his extravagance.” On the occasion of his maiden speech in the House of Commons “his appearance was theatrical, as usual. He was dressed in a bottle-green frock coat, with a white waistcoat, collarless, and with needless display of gold chain.”

reference to such adventitious means of attracting public attention. Perhaps they regarded all devices of the sort as picayunish. Certainly they are not commonly employed. Nevertheless, a recent successful candidate for the governorship of one of our larger eastern commonwealths, although formerly distinguished for his foppishness, thought it advisable to appear at political meetings with unpressed trousers. And even the late President Coolidge found time during the campaign of 1924 to pose for photographs showing him in overalls pitching hay on his father's Vermont farm.

In its earlier stages the campaign for woman suffrage was doubtless retarded to a degree by the odd or freakish appearance of some of the advocates of that cause. "No woman in public life," wrote Anna Howard Shaw, "can afford to make herself conspicuous by any eccentricity of dress or appearance. If she does so she suffers for it herself, which may not disturb her, and to a greater or less degree she injures the cause she represents, which should disturb her very much."²⁵ In the later and more successful stage of the votes-for-women campaign anti-suffragists occasionally protested against the use of attractive and tastefully gowned women on the suffrage platform.

Women in
public life

Having shown a willingness to learn and to work, the beginner in politics is urged to become a candidate for a minor elective office at the earliest possible opportunity. Practical politicians generally advise the ambitious against seeking appointive offices. Thus the late Champ Clark wrote: "A young man who deliberately starts out to hold an appointive office ought to call in the assistance of an alienist and find out what is the matter with his head. . . . There is something exhilarating about being a candidate for an elective office, but nothing of the sort about being appointed to an office." From another source came the warning: "I cannot name a single instance where a political 'pull' amounted to two straws except perhaps to land one in a clerical position where his personality was obscured and where his real genius was never made known."²⁶ In this respect American politi-

Advice
against
seeking ap-
pointive
office

²⁵ *Story of a Pioneer*, p. 260.

²⁶ Exception to this general condemnation of appointive office seeking should be made in cases where the appointee possesses unusual training and ability for the work and where the work itself brings the office holder into wide usefulness and prominence. Thus Taft's experience was apparently almost wholly, if not exclusively, appointive before his nomination for the Presidency. The careers

cal experience differs sharply from that of European countries, where private secretaryships in the service of higher officials, often unsalaried, are recognized as stepping stones to a later independent political career.²⁷ The comparative unimportance of this development in the United States is probably due (1) to the larger number and greater powers of elective offices under our system of government; (2) to the great amount of patronage in the hands of our elective officials and the strenuous scramble among party workers for rewards of this character; and finally (3) to the relative dearth of young Americans of independent means who wish to make a career of politics.

Candidacy
for minor
elective
offices

Admitting, then, the soundness of the advice that beginners in politics should contest at as early a date as possible for minor elective offices, it by no means follows that this will involve the abandonment on their part of business or professional pursuits or, in the case of women, of household duties.²⁸ On the contrary, the type of offices normally open to beginners will require a part of their time only and may carry a nominal salary or none at all. They will be expected to content themselves at first with local party offices such as precinct or county committeeman, or with temporary public jobs as registration clerks, poll clerks, inspectors and judges of elections. Nomination may follow to the local school or health board or to the municipal council. While offices such as the foregoing offer little or no compensation, they do give the incumbent a valuable schooling in the elements of practical politics, a chance to enlarge his personal following, and, most important of all, an opportunity to be of real service to

of George B. Cortelyou and, more recently, of Herbert Hoover and Gifford Pinchot, illustrate this point. Apparently Mark Hanna's original conception of politics was to rise with the fortunes of some popular leader, first Foraker, then McKinley, but in spite of his brilliant success with the latter he found himself forced in the end to face the electorate of Ohio. Herbert Croly's comment on the latter decision, *Marcus Alonso Hanna: His Life and Work*, chaps. xvii and xviii, is most illuminating. The reader is also referred to the admirable discussion of political leadership in C. E. Merriam's *American Party System*, chap. ii.

²⁷ For a striking example, cf. E. M. Sait, *Government and Politics of France*, p. 108.

²⁸ An inquiry made among the women students of Swarthmore College showed that they were looking forward to public activities largely in offices requiring only part-time service—e.g., reform-club and school-board activities, which would not interfere with home duties. Cf. M. Byrd, "Future Statesmen: The Political Ambitions of College Students," *Nat. Mun. Rev.*, vol. xi, pp. 313-316 (Oct., 1922).

the public. They have the further advantage to a beginner that, without interrupting his breadwinning pursuit, he may test out his liking for public service and thus decide whether to seek more important and more engrossing offices or to confine his activities to the local sphere.

It is not at all uncommon for political leaders to suggest to their youthful adherents that the latter become candidates in what appear to be hopeless contests. This, of course, is a chronic state of affairs with minorities and, as a result of untoward circumstances, may occur at times in dominant party organizations. Nevertheless, full tickets have to be made up for every election, and the beginner who allows himself to be slated for a sound drubbing thereby performs a party service and acquires merit for which, possibly, he may receive reward later on. "It is never advisable," writes a former Congressman and Cabinet official, "for a young man to be overobtrusive, or overtimid. He should be always cautious about going into political battles, but when he does go into them he should fight with all the ability he possesses."²⁹

Hopeless
contests

If in accordance with the foregoing precept a young politician drafted for defeat nevertheless makes a hard, resourceful fight and develops greater strength than was anticipated, the defeat itself may turn out to be a feather in his cap. Moreover, he may find even a losing battle "exhilarating," as one seasoned politician quoted above expressed it. There is nothing like candidacy to bring out the stark realities of politics. A timid soul may shrink from them, but a courageous soul will rejoice to feel out the strength and the tactics of the opposition. Finally, there is nothing like candidacy to develop knowledge of human nature. The poet need not have implored divine aid "to see ourselves as others see us." One experience as candidate would have supplied him with an exhaustive catalogue of his virtues and vices—both somewhat magnified—as observed by his fellow citizens. In addition he would have learned that certain of his most trusted friendships were valueless at least politically, and, on the other hand, that he possessed many hitherto unappreciated but warm well-wishers.

Candidacy
as an aid
to self-
knowledge

Once through with the labors and trials of apprenticeship, the

²⁹ William B. Wilson of Pennsylvania. "A pretty good maxim," according to J. E. Davies of Wisconsin, "is, 'Don't fight unless you fight hard.' A losing fight, if fought hard, is frequently an asset."

Attainment of financial or professional standing before entering politics as a career

political aspirant must face the problem of candidacy for higher political offices, in short of politics as a career. Can he afford to do so before he has attained financial independence or made for himself an established position in the business or professional world?³⁰ To this question Franklin D. Roosevelt recently replied as follows: "I think we can lay down a rule covering a political career entered into with the highest purpose of serving one's community or one's country. Either the individual should have enough money of his own safely invested to take care of him when not holding office, or else he should have business connections, a profession, or a job to which he can return from time to time."³¹ Those who act contrary to this rule run grave risks, moral as well as economic. "If a young man becomes engrossed in politics before at least establishing the basis of a competence and enters the public service, he becomes so dependent upon his public income that only the hardest of the very strong escapes falling prey to one of two evils—either the use of his office for private gain or the destruction of his independence among his constituents. Therefore, before engaging in politics to the absorption of much of his time, a young man should be firmly grounded against the pressure of ordinary living necessities. In the long reach, this independence will make his career more valuable than it would be under the other alternative. A young man

³⁰ A young man of independent income has an advantage over other young men less favorably situated economically in that he may enter practical politics at an earlier age. In the United States, however, few young men of the former type are interested in public affairs. Those who do have such an interest may find it hard to overcome the class prejudices of their own friends and, still more difficult, to secure the confidence of their associates in poorer walks of life. Theodore Roosevelt's career illustrates these points admirably. He was only twenty-three at the time of his election to the lower house of the New York state legislature. "He had been left by his father sufficient means to permit him to make the earning of additional money a secondary matter. He said in after life that it was the possession of this inheritance which enabled him to accept offices at a salary inadequate for the support of himself and his family, and through which he secured advancement in public life." When, shortly after his graduation from Harvard, Roosevelt announced his intention of joining the Republican political club in his district, his friends ridiculed him, saying that "the men in control of city politics were not gentlemen, but saloon keepers, street-car conductors, and the like." Roosevelt replied that "if this were so it merely meant that the people I knew did not belong to the governing class, and that other people did—and I intended to be one of the governing class." See T. Roosevelt, *Autobiography*, pp. 62, 63; J. B. Bishop, *Theodore Roosevelt and His Time*, vol. i, p. 6.

³¹ See his *Government—Not Politics*, p. 12 (1932).

should seek to establish political affiliations with forward-going and high-minded organizations. The instant temptation everywhere is to seek the temporary advantage first offered, and the unfortunate thing is that the advantage is usually offered to promising pioneers in political work by organizations which control prizes of material value. These prizes are always possessed by party organizations representing special interests. This fact is a truth in the very nature of things, because parties representing the mass of the comparatively unpropertied public have no resources of money or material value. One of the tragic and pathetic things in practical politics is the seduction of young, virile, and useful men by temptations of this character."³² While this advice is undeniably good, it is worth repeating that there are a large number of local and party offices which do not require much time or involve absence from one's regular business, and in which citizens of high character and public spirit may serve usefully without compromising their freedom of action.

The law is frequently mentioned as a profession transition from which to a political career involves a maximum of opportunity and a minimum of disadvantage. There are many reasons for this view. The education of lawyers fits them for a large variety of public offices in which persons without legal training would be incompetent or at least relatively inefficient. The highly legalistic character of our government makes this true to a greater degree than in any other country. That the public recognizes the fact is shown by the extremely large percentage of lawyers elected even to those public offices where legal training is not requisite. A lawyer's practice establishes connections of interest with clients in many walks of life.³³ From them he may learn much of the public needs; among them he may recruit a devoted following. Moreover, a lawyer is not tied to his desk as continuously as are other professional or business men. Returning from a term in the legislature or in Congress, he may

Law as a
stepping
stone to
politics

³² H. F. Cochems of Wisconsin. On such pitiable wrecks of character see Brand Whitlock, *Forty Years of It*, p. 328.

³³ Of course in these days of specialization this is no longer so true as it was in the period of the general practitioner. H. Croly holds that "the qualifications of the American lawyer for his traditional task as the official interpreter and guide of American constitutional democracy have been considerably impaired." For a trenchant discussion of this point see his *Promise of American Life*, pp. 131-137.

Courses
open to
lawyers in
politics

pick up the threads of his practice where he left them, and may even find that his reputation has been enhanced by public service.

Nevertheless, a number of keen observers repeat the warning in one form or another that "it is a great mistake for a young lawyer to embark on a political career before he has established himself in the confidence of the community as a hard-working, close, and intelligent student of the law."³⁴ The warning is well founded, for it is by no means so easy to step from a legal to a political career or to combine the two as the general public is inclined to believe. A young attorney beginning practice may choose one of three courses. First, he may stand entirely aloof from party connections, devoting himself single-mindedly to his profession. Most of the older practitioners will advise him that by so doing he will facilitate his success at the bar. Second, he may enter politics for "what there is in it," allying himself more or less openly with the machine. Men of ability often find this course very profitable. There are many refereeships, masterships, guardianships, commissionerships, and other appointments which go to politically "deserving" members of the bar, bringing in fat fees, but still leaving them free to carry on their private practice. Lawyers of this type also find it easy to secure various court favors or personal accommodations from judges, such as postponement of cases, signing documents late at night, and the like. It need not be inferred that all this involves anything more than customary favoritism; indeed the shrewd political lawyer knows perfectly well how to avoid risks of a corrupt character. Finally, the machine he serves may nominate and elect him to certain public posts of honor and profit—important city offices, membership in the legislature, or in Congress, for example. But if he aspires to offices of higher type his record of subserviency, which cannot be entirely concealed, will prove more and more of a handicap. Even if it does not prevent his election or appointment it will seriously cripple his capacity for faithful public service.

The law-
yer who
is inde-
pendent in
politics

Thirdly, let us consider the case of the lawyer who enters politics with high ideals of public service. Many of the best-paying clients will avoid him, believing that, owing to his political activities, he must neglect his practice. While the latter suspicion may be unfounded, it is certain that his political responsibilities will

³⁴ The words quoted are from J. E. Davies of Wisconsin.

prove a heavy burden upon his time and energies. Other clients will fear that since he is fighting the machine he must be "in bad" with the courts. Certainly the lawyer of independent or progressive political connections cannot hope to receive favors such as were referred to above as belonging among the perquisites of the subservient practitioner. Finally, the lawyer in politics is apt to find many of his poorer constituents coming to him for legal advice or help. If he becomes a candidate their gratitude may be useful to him, but from the financial point of view they are apt to prove either poor pay or mere charity clients.³⁵

It has been thought worth while to present in some detail the obstacles to political activity of an independent or progressive character on the part of lawyers. If these obstacles are so serious in the case of that profession which, by common consent, provides the best stepping stone to political advancement, it can be imagined how much more serious are the obstacles to political activity on the part of men engaged in other professions, in business, or in salaried positions.

Obstacles
in other
profes-
sions

Women of public spirit also have formidable difficulties to overcome. As beginners in politics and but recently enfranchised, they must gain experience in much the same way as men, except that the field is new and for that reason harder to cultivate. Many of them enjoy sufficient leisure to undertake political duties, but social barriers and prejudices are often in the way. Housewives whose children are grown and no longer need their care are seemingly exempt from many of the political temptations and repressions which stand in the way of men. If they should succeed in developing strength as independent or progressive leaders it can be accepted as a certainty, however, that machine influences will seek to control them. Considering all these obstacles, the dearth of competent and fearless leadership in contemporary politics is not hard to understand.

Difficulties
to be met
by women

It is futile to exhort citizens to undertake political activity of a more than ordinarily energetic character unless a sufficient motive for such activity can be supplied. To the most ambitious, perhaps, power and popularity are their own reward. They may emulate the example of one who

Appeal
of politics
to the
ambitious
and gifted

³⁵ For suggestions as to the various courses open to the lawyer beginning a political career the writer is indebted to Mr. Samuel B. Scott of the Philadelphia bar.

“ . . . lives to clutch the golden keys,
 To mould a mighty state's decrees,
 And shape the whisper of the throne;

And moving up from high to higher,
 Becomes on Fortune's crowning slope
 The pillar of a people's hope,
 The center of a world's desire.”

The poet, it should be noted, reserves this exalted destiny for “some divinely gifted man.” In our own time and country not more than two men, perhaps, may be said to have possessed political genius, yet to each of them fate brought triumph and disaster in almost equal measure. Even for the most gifted, therefore, “the political road is not a royal one. Much of what is often called success is in reality failure or, at least, not worth the effort it costs.”³⁶ Success bought at the expense of character or by the sacrifice of the best interests of the public belongs to this category. On the other hand, it is difficult to conceive a more full and blessed human life than that of the man of great gifts called to supreme power at a time of crisis and enabled to use his personal talents and official powers for the higher welfare of his people or of all mankind. In Lincoln by common consent we recognize the greatest American. Noble as was his character, splendid as was his capacity for service, still it was through the political career alone that he could have reached this sublime eminence.

The lesser
 prizes of
 politics

Only to the most exceptional individuals, then, does politics yield its highest rewards, accompanying them often by the most merciless bludgeonings of fate. For the common run of public-spirited men and women, who after all must shoulder the daily burdens of democracy, such dazzling prizes are out of the question. On the other hand, politics offers in full measure lesser offices of honor and profit and innumerable opportunities for service suited to every type and grade of ability. So varied and easily accessible are these minor possibilities that anyone who devotes himself earnestly to politics may be sure that “he will ultimately find the exact level and rise to the full height of opportunity and influence and dignity of employment to which

³⁶ Henry Houck, formerly secretary of the Department of Internal Affairs, Pennsylvania.

his abilities, character, and devotion to his duties entitle him. If he is able and willing to render effective service, he will gradually find himself moving along until he is at last engaged in the most important duties in the broadest fields of political action. In the meantime, or if he should never rise above mere local activity, let him remember that the first and chief duty of citizenship is to serve in the ranks—not to await some great and glorious occasion to win fame and power.”³⁷

To all its votaries—leaders, lieutenants or privates—politics brings occasional vivid moments, something of the joy of combat in constantly recurring campaigns. With all its delightful banter there is an element of truth in Zangwill’s comment: “No, the fight’s the thing! War, if not dead, is banished from our shores; the *duello* has been laughed to death; cock fighting and bull baiting have ceased to charm: politics alone remains to gratify the pugnacity and cruelty that civilization has robbed of their due objects.”³⁸ Of course there is much less of this sort of thing now than in the days when “Blues and Reds meant broken heads.” And there is immensely more of humdrum organization work, of ceaseless “schemin’ and contrivin’.” As carried on at present politics demands persistent attention to innumerable wearisome details, it involves an immense amount of hard, dull drudgery. In these respects, of course, it differs not at all from the other serious professions and occupations of mankind. To a greater degree than most of them, however, politics involves uncertainty, the alternation of success and failure, the necessity of compromise and adjustment or even of the abandonment of cherished purposes. Also it involves more of misrepresentation, misunderstanding, personal bitterness, and public fickleness.³⁹ The proverb concerning the ingratitude of republics

Joy of
combat—
and its
bitter-
nesses

³⁷ Elihu Root, *The Citizen's Part in Government*, p. 62.

³⁸ I. Zangwill, *Without Prejudice*, essay vi, “Concerning General Elections,” p. 82.

³⁹ Thus Brand Whitlock, *Forty Years of It*, p. 350, writes of his experience as mayor: “The truth is that long before the eight years were over the irritation of constant, persistent, nagging criticism had got on my nerves, and besides the pain of misunderstanding and misrepresentation, I grew to have a perfect detestation for those manipulations which are the technic of politics.” James M. Cox, formerly governor of Ohio and Democratic candidate for the Presidency in 1920, wrote: “Warn the young man beginning a political career that no matter how disinterested he may be, his motives will be suspected and for his reward he will be made a target for abuse and vilification.”

may be exaggerated;⁴⁰ nevertheless statesmen and politicians must reckon with periods of unemployment. All the more honor, therefore, to those of stout hearts and tough fiber who carry on undaunted to the end.

Material
ends of
political
activity

Quite apart from rewards in the form of public office, political activity may be made to serve material ends which need not be at variance with, but may, indeed, contribute to the welfare of the community. In the increasing specialization of American life it has been too readily assumed that the individual should devote himself exclusively to his own profession or business, and particularly that he should shun politics. As a matter of fact, government is a silent partner in every business. This truth becomes increasingly evident with every addition to the tax burden, with every new policy of state regulation.

Business
and
politics

Under the stress of these developments a business or profession which keeps entirely out of the field of politics is likely to be forced in the protection of its own interests to resort for assistance to those who are not so squeamish, namely to machine politicians. The latter, it may be assumed, will exact heavy returns for their services, whether legitimate or illegitimate; neither is the intelligence or loyalty of such servants to be reckoned on. For legitimate business, fortunately, there is another alternative. It may organize to protect its own public interests—for example, by circulating petitions, issuing public statements, drafting suitable legislation, sending deputations to make pleas before legislative committees, and the like. A consideration of the list of organizations of this character mentioned above will show that the latter practice is now commonly employed not only by business and professional men, but by farmers and laborers as well. In such organizations the member who has a practical knowledge of government and politics as well as of his own immediate concerns is manifestly in a position to do more for his profession or occupation than the man who keeps his nose everlastingly on the economic grindstone. In an even broader way a business man who has a sense of public obligation may help to build up his own and the general business interests of the locality by working for the improvement of his community through the City Club,

⁴⁰ James Bryce holds that "monarchs have been more ungrateful than free peoples." Cf. his *Modern Democracies*, vol. ii, p. 558. However the few illustrations cited are scarcely sufficient to establish his contention.

the Chamber of Commerce, the Home and School Association, or on unpaid civic boards. If, in addition, he will take such share as his time and talents permit in actual party work his general influence will be greatly strengthened. For example, without expressing any judgment as to what extent public interests are furthered thereby, the enormous political effectiveness of the Manufacturers' Association of Pennsylvania in securing legislative consideration is undoubtedly due in no small degree to the prominence one of its officers has attained in the organization of the dominant political party of the state.

How shallow is the conventional sneer at "politics" as if it were some loathsome disease, when one reflects that we depend largely upon government for such varied goods as the supply of public utilities, housing inspection, sanitation, the education of our children, protection of property and reputation, workmen's compensation, factory inspection, the suppression of vice and crime, civil law, the regulation of great industrial and commercial combinations, the fateful decision between war and peace. Yet these are but a few items in the ever-lengthening list of public functions. In the last analysis all these functions of government will be exercised well or poorly accordingly as citizens perform well or poorly the political duties intrusted to them.

The measure of our dependence upon politics

It is not so much in the material, but in the moral and social fields, that the real obligations and rewards of political activity must be sought. There are certain universals in life—among them religion, the family, economic self-support, and political duty—which may be neglected, it is true, but only at the cost of losing something of the fullest possible life, of a perceptible crippling of character. In spite of the poet's eloquent attempt at vindication Ibsen's peasant who cut off a finger to avoid military service was mutilated not only physically, but morally. "Both for church and state a fruitless tree—

Politics, morals and society

Out beyond the circle
Of those most near to him he nothing saw.
To him seemed meaningless as cymbals tinkling
Those words that to the heart should ring like steel.
His race, his fatherland, all things high and shining
Stood ever to his vision, veiled in mist."⁴¹

⁴¹ There is a passionate note of sincerity in this passage (*Peer Gynt*, act v, sc. iii, translation by W. and C. Archer, p. 216) which marks it not simply as

Politics
and char-
acter

No doubt politics in some of its phases exerts an unwholesome effect upon certain types of character, but only those enfeebled by moral lassitude or cowardice will avoid it on that account. On the other hand politics broadens life immensely by lifting us at times out of our more immediate personal and social concerns in order that we may know and perform our duties in the higher spheres of the community, of the nation, even of international affairs. With a measure of his habitual irony Disraeli "once told an aspirant for high office that as for its *pleasures*, they lay chiefly in contrasting the knowledge it afforded of what was really being done with the ridiculous chatter about affairs in the circles that one frequented."⁴² The remark need not be limited to high offices, however. Many a town councilman or school director has smiled over a similar reflection, pondering gravely at the same time upon the necessity of educating his constituents in order that public business may be carried on satisfactorily. To feel oneself, however humble, "still a member of the ruling class," as Roosevelt put it, to understand at first hand something of the life of one's time at its most vital point, namely where interests clash for the control of power, certainly this is more fascinating than all the imaginings of fiction or the drama.

Politics
free from
snobbery

Activity in political affairs not only contributes to breadth of view as against narrow and petty absorptions, it also aids in the cultivation of certain minor but none the less desirable personal qualities. With growth of wealth and increase of specialization American society has developed a considerable degree of class segregation naturally accompanied by some manifestations of snobbishness. Now there is one atmosphere in which traits of the latter character cannot live for an instant—that of democratic politics. Understanding of and sympathy with the life of other classes are not common in our so-called better circles, but they are a part of the equipment of every political worker. With these traits there is developed also a habit of helpfulness, partly self-interested, no doubt, but still the reverse of all that is aloof and disdainful. No one who has attained even the slightest local prominence in politics can fail to be touched by the numerous appeals that will be made to him for aid in securing

a defense of the deed, but as self-defense of the poet's character, notoriously insensible to national feeling.

⁴² W. Sichel, *Disraeli*, p. 33.

naturalization papers, in registering for primaries and elections, in deciding how to vote, or, for that matter, in obtaining employment or charitable relief, and in all the thousand and one exigencies of the neighborly life about him.

Impressed by the eighteenth-century hatred of tyranny, the fathers of our institutions laid stress naturally upon the "rights of citizens." Wise men know that duties are the necessary correlates of rights, but to the unthinking this principle is not so clear. It is to be regretted, therefore, that political duties are left unexpressed in our fundamental law and hence must be derived, if at all, by implication or from pure moral sources. In the more recent constitutions of Europe it is significant that duties are formulated side by side with rights.⁴³ Recently an American writer has endeavored to set down his conception of some of the duties of the citizen in a free land, among them the duty "to look upon the privilege of the suffrage as a sacred thing and to use it as becometh a sovereign prerogative; to bear his portion of the common burdens cheerfully; to serve in public office at personal sacrifice; and to regard it as a public trust."⁴⁴ To serve in public office, as we have seen, nearly always involves service in party office, or at least the taking of a more than ordinarily active part in the work of political organizations.

Duties of
citizens

Mindful not only of its highest purposes, but also of its historic continuity, Burke sublimely visioned the state as "a partnership in all science, a partnership in all art, a partnership in every virtue and in all perfection. As the ends of such a partnership cannot be obtained in many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead and those who are to be born." It is in this last conception that one finds the most impressive motive for political interest and activity. Members of the privileged classes in a monarchy or an aristocracy seldom fail to realize the value of their political inheritance or the desirability of transmitting it unimpaired to their descendants. Citizens of democratic states have been no less keen so far as the inheritance of private

Our
greater
heritage

⁴³ See *The Constitution of the German Commonwealth*, translated by W. B. Munro and A. N. Holcombe, World Peace Foundation, vol. ii, no. 6 (Dec., 1919); another translation is to be found in H. L. McBain and L. Rogers, *The New Constitutions of Europe*, pp. 167-212. Cf. also the author's *Government and Politics of Switzerland*, p. 63.

⁴⁴ W. B. Munro, *Government of the United States*, p. 87.

property is concerned. Much less often, however, do they think in analogous terms of that greater estate which they hold, not severally but in common, from the fathers who founded their government and from the intervening generations of statesmen and citizens who builded it up. To us, now, comes the task of continuing their labors, realizing that if democracy is to survive in virtue and power it must be the work not of one or of a few, but of many. Never before was the need more urgent. With a badly dislocated economic system and millions out of work, with powerful dictatorships abroad challenging every basic principle of popular rule, it is indeed time for all good citizens to turn to the performance of civic duty with renewed fervor and devotion, else the Republic perishes.

BOOK NOTES

IN ADDITION to the more specific reform organizations which have been mentioned in earlier chapters students should make a study of the literature issued by the National Municipal League both in pamphlet form and through the medium of its organ, the *National Municipal Review*. The latter discusses questions of county and state government as well as municipal affairs. While it is the organ of the National Municipal League, it also serves the American Civic Association, the City Managers' Association, and the National City Planning Conference. The offices of the National Municipal League are at 261 Broadway, New York City. **Organizations in the Field of Public Administration*, published by the Public Administration Clearing House, 850 East 58th St., Chicago (1932), is invaluable as a directory to political scientists, public administrators, and governmental research workers.

Women students should be urged to study at first hand the work of the nearest local branches of the National League of Women Voters, with a view to affiliating therewith. This organization maintains central headquarters at 532 Seventeenth Street, N. W., Washington, D. C., also various regional and state headquarters throughout the country. It carries on important educational work in the political field and utilizes as its organ the *League News*, approximately ten numbers of which are issued each year.

Although antedating the adoption of the suffrage amendment, W. H. Allen, *Woman's Part in the Government* (1911), contains many valuable suggestions for women who wish to take an active part in the affairs of citizenship. Mrs. Mary R. Beard, *Woman's Work in Municipalities* (1915), presents a summary of the work that

the women of America have done to rescue the city from the powers of evil and inefficiency and to place it upon a higher standard of morality and effectiveness. Practical advice based upon English conditions is given in J. M. E. Brownlow, *Woman's Work in Local Government* (1911). *Your Vote and How to Use It*, by Mrs. Raymond Brown and Mrs. Carrie Chapman Catt (1918), deals with the subject of civics from the standpoint of the woman who votes.

In the field of local government the best recent works are K. H. Porter, *County and Township Government in the United States* (1922), and J. A. Fairlie and C. M. Kneier, *County Government and Administration* (1930). There are a few earlier studies in this field which may be consulted with profit, viz., H. S. Gilbertson, *The County, the "Dark Continent" of American Politics* (1917); and C. C. Maxey, *County Administration* (1919), the latter being based upon an intensive survey of county government in Delaware. Both of these works are critical in character and emphasize the need of reform.

W. B. Munro, whose earlier works on municipal government in the United States and Europe have been cited frequently in these pages, has also published an extended treatise on *Municipal Government and Administration* (2 vols., 1923), and *The Government of American Cities* (1926). The student should also consult C. C. Maxey, *Outline of Municipal Government and Readings in Municipal Government* (1924); W. Anderson, *American City Government* (1925); L. D. Upson, *Practice of Municipal Administration* (1926); F. J. Goodnow, *Municipal Government* (rev. ed. by F. G. Bates, 1926); A. C. Hanford, *Problems in Municipal Government* (1926); T. H. Reed, *Municipal Government in the United States* (1927); and A. F. Macdonald, *American City Government* (1929).

On state government proper the most valuable recent works are A. N. Holcombe, *State Government in the United States* (rev. ed., 1931); W. F. Dodd, *State Government* (2d ed., 1927); J. M. Mathews, *State Administration* (1917), *State Government* (1924); F. G. Bates and O. P. Field, *State Government* (1928); and F. G. Crawford, *State Government* (1931).

Of making many books on the federal government there is no end. Bryce, *The American Commonwealth* (new ed. rev. to 1910), remains the great classic in this field, in connection with which his chapters on the United States (XXXVIII to XLV, Vol. II) of his *Modern Democracies* (1921), should be read. There are several excellent textbooks of later date by American writers, all of which offer constructive suggestions upon the frame work and functioning of the national government. Of exceptional merit are F. A. Ogg

and P. O. Ray, *Introduction to American Government* (1922); W. B. Munro, *Government of the United States* (1919); E. Kimball, *The National Government of the United States* (1919); J. T. Young, *The New American Government and Its Work* (1933); C. A. Beard, *American Government and Politics* (rev. ed. 1931); W. S. Myers, *American Government of Today* (1931); and S. P. Orth and R. E. Cushman, *American National Government* (1931).

Moral exhortations on the performance of civic duty are fairly numerous, the best examples being A. T. Hadley, *Standards of Public Morality* (1907); Elihu Root, *The Citizen's Part in Government* (1907); W. H. Taft, *Four Aspects of Civic Duty* (1907); and H. C. Emery, *Politician, Party, and People* (1913). Direct practical advice on the making of political connections, on the other hand, is comparatively rare in published form. Recently, however, a new interest has been manifested in this subject, chiefly in the form of articles in periodicals which have been cited as fully as possible in footnotes to the preceding chapter.

APPENDIX

PLATFORMS OF THE MAJOR PARTIES

IN 1932

ALSO OF THE SOCIALIST PARTY

PRESENTED IN PARALLEL COLUMNS ACCORDING
TO A LOGICAL ARRANGEMENT OF
SUBJECT MATTER



THE NATIONAL CONVENTIONS OF 1932

THE twentieth Republican National Convention was held in Convention Hall, Chicago, June 14 to 16, 1932, the whole number of delegates being 1154. At a session carried over into the early morning hours of the latter day, the platform was adopted after a lively but unsuccessful attempt to substitute a minority report, text of which is presented below, providing for the flat repeal of the Eighteenth Amendment. Nomination for the Presidency was made on the first ballot, taken on the afternoon of June 16, the vote being as follows: Herbert Hoover of California, 1126½; Senator John J. Blaine of Wisconsin, 13; former President Calvin Coolidge of Massachusetts, 4½; former Senator Joseph I. France of Maryland, 4; former Senator James W. Wadsworth of New York, 1; and former Vice-President Charles G. Dawes of Illinois, 1; not voting, 3; absent, 1; total votes cast, 1150, making 576 necessary to a choice. For the Vice-Presidency also a nomination was reached in one ballot taken later during the same afternoon. On the initial roll call Charles Curtis of Kansas fell short by a few votes of the required majority, but immediately thereafter the Pennsylvania delegation switched to him, making his victory certain. The final computation gave Curtis 633 votes; Hanford MacNider of Iowa, 178; James G. Harbord of New York, 161.

The sessions of the Democratic National Convention of 1932 were held June 27 to July 2 in the same hall, in the same city, and, by a queer coincidence, with exactly the same number of delegates as the Republican convention two weeks earlier. There was also a struggle on the floor of the Democratic convention over prohibition, the minority plank, text below, being defeated by over 700 majority. With one minor amendment, the addition of a few words regarding the responsibility of government for the protection of children, the draft of the brief platform was adopted June 30 by a unanimous vote. Four ballots were necessary to make the presidential nomination. On the first, taken at 4:30 A.M., July 1, after a tumultuous all-night session, Governor Franklin D. Roosevelt of New York led with 666¼ votes, 88 more than a majority but 104 less than the two-thirds required. Next in order were former Governor Alfred E. Smith of New York, 201¾ votes; Speaker John N. Garner of Texas, 90¼; Governor George White of Ohio, 52; Melvin A. Traylor of Illinois, 42¼; Governor Harry F. Byrd of Virginia, 25; former Senator

James A. Reed of Missouri, 24; Governor William H. Murray of Oklahoma, 23; Governor Albert C. Ritchie of Maryland, 21; and former Secretary of War Newton D. Baker of Ohio, $8\frac{1}{2}$. On the second and third ballots which followed immediately, despite the exhaustion of the delegates after the all-night session, Governor Roosevelt's vote increased to $677\frac{3}{4}$ and $682\frac{3}{4}$ respectively, Smith's vote declining to $194\frac{1}{4}$ and $190\frac{1}{4}$ respectively. The convention then adjourned to nine o'clock of the evening of the same day, July 1. In the course of the fourth ballot, taken shortly after the delegates reassembled, Speaker Garner released his delegates, former Secretary of the Treasury William G. McAdoo making an announcement to that effect to the convention. This ballot gave Roosevelt 945, or 179 in excess of the two-thirds required; Smith, $190\frac{1}{2}$; Baker, $5\frac{1}{2}$; Ritchie, $3\frac{1}{2}$; and White, 3. For the Vice-Presidency, Speaker John N. Garner was nominated unanimously.

The Seventeenth National Convention of the Socialist party met in the Municipal Auditorium, Milwaukee, May 21 to 24, 1932. There were 229 delegates, of whom 20 were women, chosen from 36 states. Norman Thomas of New York was nominated unanimously, May 22, for the Presidency, after Mrs. Meta A. Berger's name was withdrawn; and James H. Maurer was nominated for the Vice-Presidency, also unanimously. Discussion of the platform and election of party officials occupied the convention up to the time of adjournment.

PLATFORMS OF 1932¹

INTRODUCTION

REPUBLICAN PLATFORM

We, the representatives of the Republican party, in convention assembled, renew our pledge to the principles and traditions of our party and dedicate it anew to the service of the nation.

We meet in a period of widespread distress and of an economic depression that has swept the world. The emergency is second only to that of a great war. The human suffering occasioned may well exceed that of a period of actual conflict.

The supremely important problem that challenges our citizens and government alike is to break the back of the depression, to restore the economic life of the nation and to bring encouragement and relief to the thousands of American families that are sorely afflicted.

The people themselves, by their own courage, their own patient and resolute effort in the readjustments of their own affairs can and will work out the cure. It is our task as a party, by leadership and a wise determination of policy to assist that recovery.

To that task we pledge all that our party possesses in capacity, leadership, resourcefulness and ability. Republicans, collectively and individually in nation and state hereby enlist in a war which will not end until the promise of American life is once more fulfilled.

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¹ Based on an official copy of the Democratic platform supplied by the Bureau of Publicity of that party, and on the official text of the Republican platform issued by the Republican National Committee, June 27, 1932. The text of the Socialist platform is taken from an official pamphlet of that party published early in the campaign.

DEMOCRATIC PLATFORM

In this time of unprecedented economic and social distress the Democratic party declares its conviction that the chief causes of this condition were the disastrous policies pursued by our government since the World War, of economic isolation, fostering the merger of competitive businesses into monopolies and encouraging the indefensible expansion and contraction of credit for private profit at the expense of the public.

Those who were responsible for these policies have abandoned the ideals on which the war was won and thrown away the fruits of victory, thus rejecting the greatest opportunity in history to bring peace, prosperity, and happiness to our people and to the world.

They have ruined our foreign trade, destroyed the values of our commodities and products, crippled our banking system, robbed millions of our people of their life savings, and thrown millions more out of work, produced widespread poverty and brought the government to a state of financial distress unprecedented in time of peace.

The only hope for improving present conditions, restoring employment, affording permanent relief to the people, and bringing the nation back to the proud position of domestic happiness and of financial, industrial, agricultural and commercial leadership in the world lies in a drastic

For nearly three years the world has endured an economic depression of unparalleled extent and severity. The patience and courage of our people have been severely tested, but their faith in themselves, in their institutions and in their future remains unshaken. When victory comes, as it will, this generation will hand on to the next a great heritage unimpaired.

This will be due in large measure to the quality of the leadership that this country has had during this crisis. We have had in the White House a leader—wise, courageous, patient, understanding, resourceful, ever-present at his post of duty, tireless in his efforts, and unswervingly faithful to American principles and ideals.

At the outset of the depression when no man could foresee its depth and extent, the President succeeded in averting much distress by securing agreement between industry and labor to maintain wages and by stimulating programs of private and governmental construction. Throughout the depression unemployment has been limited by the systematic use of part-time employment as a substitute for the general discharge of employees. Wage scales have not been reduced except under compelling necessity. As a result there have been fewer strikes and less social disturbance than during any similar period of hard times.

The suffering and want occasioned by the great drought of 1930 were mitigated by the prompt mobilization of the resources of the Red Cross and of the government. During the trying winters of 1930-31 and 1931-32 a nation-wide organization to relieve distress was brought into being under the leadership of the President. By the spring of 1931 the possibility of a business upturn in the United States was clearly discernible when, suddenly, a train of events was set in motion in Central Europe which moved forward with extraordinary

change in economic governmental policies.

We believe that a party platform is a covenant with the people to be faithfully kept by the party when entrusted with power, and that the people are entitled to know in plain words the terms of the contract to which they are asked to subscribe. We hereby declare this to be the platform of the Democratic party.

The Democratic party solemnly promises by appropriate action to put into effect the principles, policies, and reforms herein advocated, and to eradicate the policies, methods, and practices herein condemned.

SOCIALIST PLATFORM

We are facing a breakdown of the capitalistic system. This situation the Socialist party has long predicted. In the last campaign, it warned the people of the increasing insecurity in American life and urged a program of action which, if adopted, would have saved millions from their present tragic plight.

Today, in every city of the United States, jobless men and women by the thousands are fighting the grim battle against want and starvation, while factories stand idle and food rots on the ground. Millions of wage-earners and salaried workers are hunting in vain for jobs, while other millions are only partly employed.

Unemployment and poverty are inevitable products of the present system. Under capitalism the few own our industries. The many do the work. The wage-earners and farmers are compelled to give a large part of the product of their labor to the few. The many in the factories, mines, shops, offices and on the farms obtain but a scanty income and are able to buy back only a part of the goods that can be produced in such abundance by our mass industries.

Goods pile up. Factories close. Men

rapidity and violence, threatening the credit structure of the world and eventually dealing a serious blow to this country.

The President foresaw the danger. He sought to avert it by proposing a suspension of intergovernmental debt payments for one year, with the purpose of relieving the pressure at the point of greatest intensity. But the credit machinery of the nations of Central Europe could not withstand the strain, and the forces of disintegration continued to gain momentum until in September Great Britain was forced to depart from the gold standard. This momentous event, followed by a tremendous raid on the dollar, resulted in a series of bank suspensions in this country, and the hoarding of currency on a large scale.

Again the President acted. Under his leadership the National Credit Association came into being. It mobilized our banking resources, saved scores of banks from failure, helped restore confidence and proved of inestimable value in strengthening the credit structure.

By the time the Congress met the character of our problems was clearer than ever. In his message to Congress the President outlined a constructive and definite program which in the main has been carried out; other portions may yet be carried out.

The Railroad Credit Corporation was created. The capital of the Federal Land Banks was increased. The Reconstruction Finance Corporation came into being and brought protection to millions of depositors, policy holders and others. Legislation was enacted enlarging the discount facilities of the Federal Reserve System, and, without reducing the legal reserves of the Federal Reserve Banks, releasing a billion dollars of gold, a formidable protection against raids on the dollar and a greatly enlarged basis for an expansion of credit. An earlier distribution to depositors in

and women are discharged. The nation is thrown into a panic. In a country with natural resources, machinery and trained labor sufficient to provide security and plenty for all, masses of people are destitute.

Capitalism spells not only widespread economic disaster, but class strife. It likewise carries with it an ever present threat of international war. The struggle of the capitalist class to find world markets and investment areas for its surplus goods and capital was a prime cause of the world war. It is today fostering those policies of militarism and imperialism which, if unchecked, will lead to another world conflict.

From the poverty, insecurity, unemployment, the economic collapse, the wastes and the wars of our present capitalistic order, only the united efforts of workers and farmers, organized in unions and cooperatives and, above all, in a political party of their own, can save the nation.

The Republican and Democratic parties, both controlled by the great industrialists and financiers, have no plan or program to rescue us from the present collapse. In this crisis, their chief purpose and desire has been to help the railroads, banks, insurance companies and other capitalist interests.

The Socialist party is today the one democratic party of the workers whose program would remove the causes of class struggles, class antagonisms and social evils inherent in the capitalist system.

It proposes to transfer the principal industries of the country from private ownership and autocratic, cruelly inefficient management to social ownership and democratic control. Only by these means will it be possible to organize our industrial life on a basis of planned and steady operation without periodic breakdowns and disastrous crises.

closed banks has been brought about through the action of the Reconstruction Finance Corporation. Above all, the national credit has been placed in an impregnable position by provision for adequate revenue and a program of drastic curtailment of expenditures. All of these measures were designed to lay a foundation for the resumption of business and increased employment. But delay and the constant introduction and consideration of new and unsound measures have kept the country in a state of uncertainty and fear, and offset much of the good otherwise accomplished.

The President has recently supplemented his original program. To provide for distress, to stimulate the revival of business and employment, and to improve the agricultural situation, he recommended extending the authority of the Reconstruction Finance Corporation to enable it:

(a) To make loans to political subdivisions of public bodies or private corporations for the purpose of starting construction of income-producing or self-liquidating projects which will at once increase employment;

(b) To make loans upon security of agricultural commodities so as to insure the carrying of normal stocks of those commodities, and thus stabilize their loan value and price levels;

(c) To make loans to the Federal Farm Board to enable extension of loans to farm cooperatives and loans for export of agricultural commodities to quarters unable otherwise to purchase them;

(d) To loan up to \$300,000,000 to such states as are unable to meet the calls made on them by their citizens for distress relief.

The President's program contemplates an attack on a broad front, with far-reaching objectives, but entailing no danger to the budget. The Democratic program, on the other

It proposes the following measures:

hand, contemplates a heavy expenditure of public funds, a budget unbalanced on a large scale, with a doubtful attainment of at best a strictly limited objective.

We strongly endorse the President's program.

ECONOMIC ISSUES

LABOR; UNEMPLOYMENT

REPUBLICAN PLATFORM

True to American traditions and principles of government, the administration has regarded the relief problem as one of state and local responsibility. The work of local agencies, public and private, has been coordinated and enlarged on a nation-wide scale under the leadership of the President. Sudden and unforeseen emergencies such as the drought have been met by the Red Cross and the government. The United States Public Health Service has been of inestimable benefit to stricken areas.

There has been magnificent response and action to relieve distress by citizens, organizations and agencies, public and private, throughout the country.

To provide against the possible failure of local and state agencies, the President has urged the Congress to create an emergency relief fund to be loaned temporarily to any state on a showing of actual need and temporary failure of its financial resources.

The Republican party endorses this record and policy and is opposed to the Federal Government entering directly into the field of private charity and direct relief to the individual.

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We believe in the principle of high wages.

DEMOCRATIC PLATFORM

We advocate the extension of Federal credit to the states to provide unemployment relief wherever the diminishing resources of the states make it impossible for them to provide for the needy; expansion of the Federal program of necessary and useful construction affected with a public interest, such as adequate flood control and waterways.

We advocate the spread of employment by a substantial reduction in the hours of labor, the encouragement of the shorter week by applying that principle in government service. We advocate advance planning of public works.

We advocate unemployment and old age insurance under state laws.

SOCIALIST PLATFORM

1. A federal appropriation of \$5,000,000,000 for immediate relief for those in need, to supplement state and local appropriations.

2. A federal appropriation of \$5,000,000,000 for public works and roads, reforestation, slum clearance and decent homes for the workers, by federal government, states and cities.

3. Legislation providing for the acquisition of land, buildings and equipment necessary to put the unemployed to work producing food,

We favor the principle of the shorter work week and shorter work day with its application to government as well as to private employment, as rapidly and as constructively as conditions will warrant.

We favor legislation designed to stimulate, encourage and assist in home building.

Collective bargaining by responsible representatives of employers and employees of their own choice, without the interference of any one is recognized and approved.

Legislation such as laws prohibiting alien contract labor, peonage labor and the shanghaiing of sailors; the eight-hour labor law on government contracts and in government employment; provision for railroad safety devices, of methods of conciliation, mediation and arbitration in industrial labor disputes, including the adjustment of railroad disputes; the providing of compensation for injury to government employees (the forerunner of Federal workers' compensation acts), and other laws to aid and protect labor are of Republican origin, and have had and will continue to have the unswerving support of the party.

We commend the constructive work of the United States Department of Labor.

We commend the constructive work of the United States Employment Service in the Department of Labor. This Service was enlarged and its activities extended through an appropriation made possible by the President with the cooperation of the Congress. It has done high service for the unemployed in the ranks of civil life and in the ranks of the former soldiers of the World War.

In conclusion we pledge the Republican party to use all available means consistent with sound financial

fuel and clothing and for the erection of houses for their own use.

4. The six-hour day and the five-day week without a reduction of wages.

5. A comprehensive and efficient system of free public employment agencies.

6. A compulsory system of unemployment compensation with adequate benefits, based on contributions by the government and by employers.

7. Old age pensions for men and women sixty years of age and over.

8. Health and maternity insurance.

9. Improved systems of workmen's compensation and accident insurance.

10. The abolition of child labor.

11. [Refers to farmers and small home-owners; see under Agriculture, below.]

12. Adequate minimum wage laws.

The abolition of injunctions in labor disputes, the outlawing of yellow dog contracts and the passing of laws enforcing the rights of workers to organize into unions.

The creation of international economic organizations on which labor is adequately represented, to deal with problems of raw material, investments, money, credit, tariffs and living standards from the viewpoint of the welfare of the masses throughout the world.

The passage of the Socialist party's proposed Workers' Rights' amendment to the Constitution empowering Congress to establish national systems of unemployment, health and accident insurance. [For remainder of plank, see under Other Proposed Constitutional Amendments, below.]

and economic principles to promote an expansion of credit, to stimulate business and relieve unemployment.

Recognizing that real relief to unemployment must come through a revival of industrial activity and agriculture to the promotion of which our every effort must be directed, our party in state and nation undertakes to do all in its power that is humanly possible to see that distress is fully relieved in accordance with American principles and traditions.

IMMIGRATION

REPUBLICAN PLATFORM

The restriction of immigration is a Republican policy. Our party formulated and enacted into law the quota system which for the first time has made possible an adequate control of foreign immigration. Rigid examination of applicants in foreign countries has prevented the coming of criminals and other undesirable classes, while other provisions of the law have enabled the President to suspend immigration of foreign wage-earners who otherwise, directly or indirectly, would have increased unemployment among native-born and legally resident foreign-born wage-earners in this country. As a result, immigration is now less than at any time during the past one hundred years.

We favor the continuance and strict enforcement of our present laws upon this subject.

DEMOCRATIC PLATFORM

SOCIALIST PLATFORM

Modification of the immigration laws to permit the reuniting of families and to offer a refuge to those fleeing from political or religious persecution.

Legislation protecting aliens from being excluded from this country or from citizenship or from being deported on account of their political, social or economic beliefs, or on account of activities engaged in by them which are not illegal for citizens.

PUBLIC ECONOMY, BUDGETS

REPUBLICAN PLATFORM

Constructive plans for financial stabilization cannot be completely organized until our national, state and municipal governments not only balance their budgets, but curtail their current expenses as well to a level which can be steadily and economi-

DEMOCRATIC PLATFORM

We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance, to accomplish a saving of not less than 25

cally maintained for some years to come.

We urge prompt and drastic reduction of public expenditure and resistance to every appropriation not demonstrably necessary to the performance of the essential functions of government, national or local.

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[In conclusion] In contrast with the Republican policies and record, we contrast those of the Democratic party as evidenced by the action of the House of Representatives under Democratic leadership and control, which includes:

The squandering of the public resources and the unbalancing of the budget through pork-barrel appropriations which bear little relation to distress and would tend through delayed business revival to decrease rather than increase employment.

Generally on economic matters we pledge the Republican party:

To maintain unimpaired the national credit.

To stand steadfastly by the principle of a balanced budget.

To devote ourselves fearlessly and unremittingly to the task of eliminating abuses and extravagance and of drastically cutting the cost of government so as to reduce the heavy burden of taxation.

per cent in the cost of Federal Government, and we call upon the Democratic party in the states to make a zealous effort to achieve a proportionate result.

We favor maintenance of the national credit by a federal budget annually balanced on the basis of accurate executive estimates within revenues, raised by a system of taxation levied on the principle of ability to pay.

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We condemn the open and covert resistance of administration officials to every effort made by Congressional committees to curtail the extravagant expenditures of the government and to revoke improvident subsidies granted to favorite interests.

SOCIALIST PLATFORM

1. Steeply increased inheritance taxes and income taxes on the higher incomes and estates of both corporations and individuals.

2. A constitutional amendment authorizing the taxation of all government securities.

CURRENCY AND BANKING

REPUBLICAN PLATFORM

The Republican party established and will continue to uphold the gold standard and will oppose any measure which will undermine the government's credit or impair the integrity of our national currency. Relief by currency inflation is unsound in principle and dishonest in results. The dollar is impregnable in the marts of the world today and must remain so. An ailing body cannot be cured by quack remedies. This

DEMOCRATIC PLATFORM

We advocate a sound currency to be preserved at all hazards and an international monetary conference called on the invitation of our government to consider the rehabilitation of silver and related questions.

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We advocate protection of the investing public by requiring to be filed with the government and carried in advertisements of all offer-

is no time to experiment upon the body politic or financial.

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The efficient functioning of our economic machinery depends in no small measure on the aid rendered to trade and industry by our banking system. There is need of revising the banking laws so as to place our banking structure on a sounder basis generally for all concerned, and for the better protection of the depositing public there should be more stringent supervision and broader powers vested in the supervising authorities. We advocate such a revision.

One of the serious problems affecting our banking system has arisen from the practice of organizing separate corporations under and controlled by the same interests as banks, but participating in operations which the banks themselves are not permitted legally to undertake. We favor requiring reports of and subjecting to thorough and periodic examination all such affiliates of member banks until adequate information has been acquired on the basis of which this problem may definitely be solved in a permanent manner.

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We favor the participation by the United States in an international conference to consider matters relating to monetary questions, including the position of silver, exchange problems, and commodity prices, and possible co-operative action concerning them.

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The present Republican administration has initiated legislation for the creation of a system of Federally supervised home loan discount banks, designed to serve the home owners of all parts of the country and to encourage home ownership by making possible long-term credits for homes

ings of foreign and domestic stocks and bonds true information as to bonuses, commissions, principal invested, and interests of sellers.

Regulation to the full extent of Federal power of

(a) Holding companies which sell securities in interstate commerce;

(b) Rates of utility companies operating across state lines;

(c) Exchanges in securities and commodities.

We advocate quicker methods of realizing on assets for the relief of depositors of suspended banks, and a more rigid supervision of national banks for the protection of depositors and the prevention of the use of their moneys in speculation to the detriment of local credits.

The severance of affiliated security companies from, and the divorce of the investment banking business from, commercial banks, and further restriction of Federal Reserve Banks in permitting the use of Federal Reserve facilities for speculative purposes.

We condemn action and utterances of high public officials designed to influence stock exchange prices.

We condemn the usurpation of power by the State Department in assuming to pass upon foreign securities offered by international bankers, as a result of which billions of dollars in questionable bonds have been sold to the public upon the implied approval of the Federal Government.

SOCIALIST PLATFORM

Socialization of our credit and currency system and the establishment of a unified banking system, beginning with the complete governmental acquisition of the Federal Reserve Banks and the extension of the services of the Postal Savings Banks to cover all departments of the banking business and the transference of

on more stable and more favorable terms.

There has arisen in the last few years a disturbing trend away from home ownership. We believe that everything possible should be done by governmental agencies, national, state and local, to reverse this tendency; to aid home owners by encouraging better methods of home financing; and to relieve the present inequitable tax burden on the home. In the field of national legislation we pledge that the measures creating a home loan discount system will be pressed in Congress until adopted.

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[In conclusion] In contrast with the Republican policies and record, we contrast those of the Democrats as evidenced by the action of the House of Representatives under Democratic leadership and control, which includes:

The issuance of fiat currency.

Instructions to the Federal Reserve Board and the Secretary of the Treasury to attempt to manipulate commodity prices.

The guarantee of bank deposits.

Generally on economic matters we pledge the Republican party:

To defend and preserve a sound currency and an honest dollar.

To a thorough study of the conditions which permitted the credit and the credit machinery of the country to be made available without adequate check for wholesale speculation in securities, resulting in ruinous consequences to millions of our citizens and to the national economy, and to correct those conditions so that they shall not recur.

this department of the post office to a government-owned banking corporation.

AGRICULTURE

REPUBLICAN PLATFORM

Farm distress in America has its root in the enormous expansion of agricultural production during the

DEMOCRATIC PLATFORM

We favor the restoration of agriculture, the nation's basic industry; better financing of farm mortgages

war, the deflation of 1919, 1920, and the dislocation of markets after the war. There followed, under Republican Administrations, a long record of legislation in aid of the cooperative organization of farmers and in providing farm credit. The position of agriculture was gradually improved. In 1928 the Republican party pledged further measures in aid of agriculture, principally tariff protection for agricultural products and the creation of a Federal Farm Board "clothed with the necessary power to promote the establishment of a farm marketing system of farmer-owned and controlled stabilization corporations."

Almost the first official act of President Hoover was the calling of a special session of Congress to redeem these party pledges. They have been redeemed.

The 1930 tariff act increased the rates on agricultural products by 30 per cent, upon industrial products only 12 per cent. That act equalized, so far as legislation can do so, the protection afforded the farmer with the protection afforded industry, and prevented a vast flood of cheap wool, grain, livestock, dairy and other products from entering the American market.

By the Agricultural Marketing Act, the Federal Farm Board was created and armed with broad powers and ample funds. The object of that act, as stated in its preamble, was: "To promote the effective merchandising of agricultural commodities in interstate and foreign commerce so that . . . agriculture will be placed on the basis of economic equality with other industries. . . . By encouraging the organization of producers into effective association for their own control . . . and by promoting the establishment of a farm marketing system of producer-owned and producer-controlled cooperative associations."

The Federal Farm Board, created

through recognized farm bank agencies at low rates of interest on an amortization plan, giving preference to credits for the redemption of farms and homes sold under foreclosure.

Extension and development of Farm Cooperative movement and effective control of crop surpluses so that our farmers may have the full benefit of the domestic market.

The enactment of every constitutional measure that will aid the farmers to receive for their basic farm commodities prices in excess of cost.

We condemn the extravagance of the Farm Board, its disastrous action which made the government a speculator of farm products and the unsound policy of restricting agricultural products to the demands of domestic markets.

SOCIALIST PLATFORM

Many of the foregoing measures for socializing the power, banking and other industries, for raising living standards among the city workers, etc., would greatly benefit the farming population.

As special measures for agricultural upbuilding, we propose:

1. The reduction of tax burdens, by a shift from taxes on farm property to taxes on incomes, inheritances, excess profits and other similar forms of taxation.

2. Increased federal and state subsidies to road building and educational and social services for rural communities.

3. The creation of a federal marketing agency for the purchase and marketing of agricultural products.

4. The acquisition by *bona fide* cooperative societies and by governmental agencies of grain elevators, stockyards, packing houses and warehouses and the conduct of these serv-

by the Agricultural Marketing Act, has been compelled to conduct its operations during a period in which all commodity prices, industrial as well as agricultural, have fallen to disastrous levels. A period of decreasing demand and of national calamities such as drought and flood has intensified the problem of agriculture. Nevertheless, after only a little more than two years' efforts, the Federal Farm Board has many achievements of merit to its credit. It has increased the membership of the cooperative farm marketing associations to coordinate efforts of the local associations. By cooperation with other Federal agencies, it has made available to farm marketing associations a large volume of credit, which, in the emergency, would not have otherwise been available. Larger quantities of farm products have been handled cooperatively than ever before in the history of the cooperative movement. Grain crops have been sold by the farmer through his association directly upon the world market.

Due to the 1930 tariff act and the Agricultural Marketing Act, it can truthfully be stated that the prices received by the American farmer for his wheat, corn, rye, barley, oats, flaxseed, cattle, butter and many other products, cruelly low though they are, are higher than the prices received by the farmers of any competing nation for the same products.

The Republican party has also aided the American farmer by relief of the sufferers in the drought-stricken areas, through loans for rehabilitation and through road building to provide employment, by the development of the inland waterway system, by the Perishable Product Act, by the strengthening of the extension system, and by the appropriation of \$125,000,000 to recapitalize the Federal land banks and enable them to extend time to worthy borrowers.

ices on a non-profit basis. The encouragement of farmers' cooperative societies and of consumers' cooperatives in the cities, with a view of eliminating the middle-man.

5. The socialization of federal land banks and the extension by these banks of long-term credit to farmers at low rates of interest.

6. Social insurance against losses due to adverse weather conditions.

7. The creation of national, regional, and state land utilization boards for the purpose of discovering the best uses of the farming land of the country, in view of the joint needs of agriculture, industry, recreation, water supply, reforestation, etc., and to prepare the way for agricultural planning on a national and, ultimately, on a world scale.

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[Also under Unemployment and Labor Legislation the following plank]

Government aid to farmers and small home-owners to protect them against mortgage foreclosures and a moratorium on sales for non-payment of taxes by destitute farmers and unemployed workers.

The Republican party pledges itself to the principle of assistance to cooperative marketing association, owned and controlled by the farmers themselves, through the provisions of the Agricultural Marketing Act, which will be promptly amended or modified as experience shows to be necessary to accomplish the objects set forth in the preamble of that act.

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The party pledges itself to make such revision of tariff schedules as economic changes require to maintain the parity of protection to agriculture with other industry.

The American farmer is entitled not only to tariff schedules on his products but to protection from substitutes therefor.

We will support any plan which will help to balance production against demand, and thereby raise agricultural prices, provided it is economically sound and administratively workable without burdensome bureaucracy.

The burden of taxation borne by the owners of farm land constitutes one of the major problems of agriculture. President Hoover has aptly and truly said, "Taxes upon real property are easiest to enforce and are the least flexible of all taxes. The tendency under pressure of need is to continue these taxes unchanged in times of depression, despite the decrease in the owner's income. Decreasing price and decreasing income results in an increasing burden upon property owners . . . which is now becoming almost unbearable. The tax burden upon real estate is wholly out of proportion to that upon other forms of property and income. There is no farm relief more needed today than tax relief."

The time has come for a reconsideration of our tax systems, Federal, state and local, with a view to developing a better coordination, reducing duplication and relieving un-

just burdens. The Republican party pledges itself to this end.

More than all else, we point to the fact that, in the administration of executive departments, and in every plan of the President for the co-ordination of national effort and for strengthening our financial structure, for expanding credit, for rebuilding the rural credit system and laying the foundations for better prices, the President has insisted upon the interest of the American farmer.

The fundamental problem of American agriculture is the control of production to such volume as will balance supply with demand. In the solution of this problem the co-operative organization of farmers to plan production, and the tariff, to hold the home market for American farmers, are vital elements. A third element equally as vital is the control of the acreage of land under cultivation, as an aid to the efforts of the farmer to balance production.

We favor a national policy of land utilization which looks to national needs, such as the administration has already begun to formulate. Such a policy must foster reorganization of taxing units in areas beset by tax delinquency and divert lands that are submarginal for crop production to other uses. The national welfare plainly can be served by the acquisition of submarginal lands for watershed protection, grazing, forestry, public parks and game reserves. We favor such acquisition.

TARIFF

REPUBLICAN PLATFORM

The Republican party has always been the staunch supporter of the American system of a protective tariff. It believes that the home market, built up under that policy, the greatest and richest market in the world, belongs first to American agriculture, industry and labor. No

DEMOCRATIC PLATFORM

We advocate a competitive tariff for revenue, with a fact-finding tariff commission free from executive interference, reciprocal tariff agreements with other nations, and an international economic conference designed to restore international trade and facilitate exchange.

pretext can justify the surrender of that market to such competition as would destroy our farms, mines and factories and lower the standard of living which we have established for our workers.

Because many foreign countries have recently abandoned the gold standard, as a result of which the costs of many commodities produced in such countries have, at least for the time being, fallen materially in terms of American currency, adequate tariff protection is today particularly essential to the welfare of the American people. The Tariff Commission should promptly investigate individual commodities so affected by currency depreciation and report to the President any increase in duties found necessary to equalize domestic with foreign costs of production.

To fix the duties on some thousands of commodities, subject to highly complex conditions, is necessarily a difficult technical task. It is unavoidable that some of the rates established by legislation should, even at the time of their enactment, be too low or too high. Moreover, a subsequent change in costs or other conditions may render obsolete a rate that was before appropriate. The Republican party has, therefore, long supported the policy of a flexible tariff, giving power to the President, after investigation by an impartial commission and in accordance with prescribed principles, to modify the rates named by the Congress.

We commend the President's veto of the measure, sponsored by Democratic Congressmen, which would have transferred from the President to the Congress the authority to put into effect the findings of the Tariff Commission. Approval of the measure would have returned tariff making to politics and destroyed the progress made during ten years of effort to lift it out of log-rolling methods. We pledge the Republican

We condemn the Hawley-Smoot tariff law, the prohibitive rates of which have resulted in retaliatory action by more than forty countries, created international economic hostilities, destroyed international trade, driven our factories into foreign countries, robbed the American farmer of his foreign markets, and increased the cost of production.

party to a policy which will retain the gains made and enlarge the present scope of greater progress.

We favor the extension of the general Republican principle of tariff protection to our natural resource industries, including the products of our farms, forests, mines and oil wells, with compensatory duties on the manufactured and refined products thereof.

ANTI-TRUST LAWS

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

We advocate strengthening and impartial enforcement of the anti-trust laws, to prevent monopoly and unfair trade practices, and revision thereof for the better protection of labor and the small producer and distributor.

PUBLIC UTILITIES

REPUBLICAN PLATFORM

Supervision, regulation and control of interstate public utilities in the interest of the public is an established policy of the Republican party, to the credit of which stands the creation of the Interstate Commerce Commission, with its authority to assure reasonable transportation rates, sound railway finance and adequate service.

As proof of the progress made by the Republican party in government control of public utilities, we cite the reorganization under this administration of the Federal Power Commission, with authority to administer the Federal Water Power Act. We urge legislation to authorize this commission to regulate the charges for electric current when transmitted across state lines.

DEMOCRATIC PLATFORM

We advocate the conservation, development, and use of the nation's water power in the public interest.

We advocate the removal of government from all fields of private enterprise except where necessary to develop public works and natural resources in the public interest.

SOCIALIST PLATFORM

1. Public ownership and democratic control of our mines, forests, oil and power resources; public utilities dealing with light and power, transportation and communication and of all other basic industries.

2. The operation of these publicly owned industries by boards of administration on which the wage-worker, the consumer and the technician are adequately represented; the recognition in each industry of the principles of collective bargaining and civil service.

ST. LAWRENCE SEAWAY

REPUBLICAN PLATFORM

The Republican party stands committed to the development of the Great Lakes-St. Lawrence seaway. Under the direction of President Hoover negotiation of a treaty with Canada for this development is now at a favorable point. Recognizing the inestimable benefits which will accrue to the nation from placing the ports of the Great Lakes on an ocean base, the party reaffirms allegiance to this great project and pledges its best efforts to secure its early completion.

DEMOCRATIC PLATFORM

HIGHWAYS

REPUBLICAN PLATFORM

The Federal policy to cooperate with the states in the building of roads was thoroughly established when the Federal Highway Act of 1921 was adopted under a Republican Congress. Each year since that time appropriations have been made which have greatly increased the economic value of highway transportation and helped to raise the standards and opportunities of rural life.

We pledge our support to the continuation of this policy in accordance with our needs and resources.

DEMOCRATIC PLATFORM

INLAND WATERWAYS

REPUBLICAN PLATFORM

The Republican party recognizes that low-cost transportation for bulk commodities will enable industry to develop in the midst of agriculture in the Mississippi Valley, thereby creating a home market for farm products in that section. With a view to aiding agriculture in the Middle West the present administration has pushed forward, as rapidly as possible, the improvement of the Mississippi Waterway System; and we

DEMOCRATIC PLATFORM

favor a continued vigorous prosecution of these works to the end that agriculture and industry in that great area may enjoy the benefits of these improvements at the earliest possible date.

TRANSPORTATION

REPUBLICAN PLATFORM

The promotion of agriculture, commerce and industry requires co-ordination of transportation by rail, highway, air and water. All should be subjected to appropriate and constructive regulation.

The public will, of course, select the form of transportation best fitted to its particular service, but the terms of competition fixed by public authority should operate without discrimination, so that all common carriers by rail, highway, air and water shall operate under conditions of equality.

The railroads constitute the backbone of our transportation system and perform an essential service for the country. The railroad industry is our largest employer of labor and the greatest consumer of goods. The restoration of their credit and the maintenance of their ability to render adequate service are of paramount importance to the public, to their many thousands of employees and to savings banks, insurance companies and other similar institutions, to which the savings of the people have been intrusted.

DEMOCRATIC PLATFORM

MERCHANT MARINE

REPUBLICAN PLATFORM

We should continue to encourage the further development of the merchant marine under American registry and ownership.

Under the present administration the American merchant fleet has been enlarged and strengthened until it

DEMOCRATIC PLATFORM

now occupies second place among the merchant marines of the world.

By the gradual retirement of the government from the field of ship operations and marked economies in costs, the United States Shipping Board will require no appropriation for the fiscal year 1933 for ship operations.

CONSERVATION

REPUBLICAN PLATFORM

The wise use of all natural resources freed from monopolistic control is a Republican policy, initiated by Theodore Roosevelt. The Roosevelt, Coolidge and Hoover reclamation projects bear witness to the continuation of that policy. Forestry and all other conservation activities have been supported and enlarged.

The conservation of oil is a major problem to the industry and the nation. The administration has sought to bring coordination of effort through the states, the producers and the Federal Government. Progress has been made and the effort will continue.

DEMOCRATIC PLATFORM

THE EIGHTEENTH AMENDMENT

REPUBLICAN PLATFORM

The Republican party has always stood and stands today for obedience to and enforcement of the law as the very foundation of orderly government and civilization. There can be no national security otherwise. The duty of the President of the United States and of the officers of the law is clear. The law must be enforced as they find it enacted by the people. To these courses of action we pledge our nominees.

The Republican party is and always has been the party of the Constitution. Nullification by non-observance by individuals or state

DEMOCRATIC PLATFORM

We advocate the repeal of the Eighteenth Amendment. To effect such repeal we demand that the Congress immediately propose a Constitutional Amendment to truly representative conventions in the states called to act solely on that proposal, we urge the enactment of such measures by the several states as will actually promote temperance, effectively prevent the return of the saloon and bring the liquor traffic into the open under complete supervision and control by the states.

We demand that the Federal Government effectively exercise its

action threatens the stability of government.

While the Constitution makers sought a high degree of permanence, they foresaw the need of changes and provided for them. *Article V* limits the proposals of amendments to two methods: (1) Two-thirds of both Houses of Congress may propose amendments; or (2) On application of the legislatures of two-thirds of the states a national convention shall be called by Congress to propose amendments. Thereafter ratification must be had in one of two ways: (1) By the legislatures of three-fourths of the several states; or (2) By conventions held in three-fourths of the several states. Congress is given power to determine the mode of ratification.

Referendums without constitutional sanction cannot furnish a decisive answer. Those who propose them innocently are deluded by false hopes; those who propose them knowingly are deceiving the people.

A nation-wide controversy over the Eighteenth Amendment now distracts attention from the constructive solution of many pressing national problems. The principle of national prohibition as embodied in the Amendment was supported and opposed by members of both great political parties. It was submitted to the states by members of Congress of different political faith and ratified by state legislatures of different political majorities. It was not then and is now not a partisan political question.

Members of the Republican party hold different opinions with respect to it, and no public official or member of the party should be pledged or forced to choose between his party affiliations and his honest convictions upon this question.

power to enable the states to protect themselves against importation of intoxicating liquors in violation of their laws.

Pending repeal, we favor immediate modification of the Volstead Act to legalize the manufacture and sale of beer and other beverages of such alcoholic content as is permissible under the Constitution and to provide therefrom a proper and needed revenue.

SOCIALIST PLATFORM

Repeal the Eighteenth Amendment and take over the liquor industry under government ownership and control, with the right of local option for each state to maintain prohibition within its borders.¹

¹ The above was proposed as an amendment to the Socialist national platform, but upon demand of 25 per cent of the delegates was submitted to a referendum vote of party members, carrying by 3177 to 1574—less than a fourth of the members voting.

We do not favor a submission limited to the issue of retention or repeal. For the American nation never in its history has gone backward, and in this case the progress which has been thus far made must be preserved, while the evils must be eliminated.

We, therefore, believe that the people should have an opportunity to pass upon a proposed amendment the provisions of which, while retaining in the Federal Government power to preserve the gains already made in dealing with the evils inherent in the liquor traffic, shall allow states to deal with the problem as their citizens may determine, but subject always to the power of the Federal Government to protect those states where prohibition may exist and safeguard our citizens everywhere from the return of the saloon and attendant abuses.

Such an amendment should be promptly submitted to the states by Congress, to be acted upon by state conventions called for that sole purpose in accordance with the provisions of *Article V* of the Constitution, and adequately safeguarded so as to be truly representative.

[In his Acceptance Speech of August 11, 1932, President Hoover defined his position on Prohibition in part as follows: "It is my belief that in order to remedy present evils a change is necessary by which we re-summon a proper share of initiative and responsibility which the very essence of our government demands shall rest upon the states and local authorities. That change must avoid the return of the saloon. It is my conviction that the nature of this change, and one upon which all reasonable people can find common ground, is that each state shall be given the right to deal with the problem as it may determine, but subject to absolute guarantees in the Constitution of the United States to protect each state from interference and

invasion by its neighbors, and that in no part of the United States shall there be a return of the saloon system with its inevitable political and social corruption and its organized interference with other states."]

MINORITY PLANKS ON PROHIBITION

For purposes of comparison the minority report on prohibition which was rejected by a vote of 681 to 472 in the Republican convention is also presented, as follows:

"We recommend that the Congress of the United States immediately prepare an amendment to the Federal Constitution repealing the Eighteenth Amendment thereto, to be submitted to conventions of the people of the several states called for the sole purpose, in accordance with the provisions of Article V of the Constitution of the United States.

"Should the Eighteenth Amendment be repealed, we pledge our best effort toward enactment of such measures in the several states as will actually promote temperance, effectively abolish the saloon, whether open or concealed, and bring the liquor traffic itself under complete public supervision and control, with revenues properly drawn from legalized sources for the relief of the burden of taxpayers."

For purposes of comparison the minority report on prohibition which was rejected by a vote of 934 $\frac{3}{4}$ to 213 $\frac{3}{4}$ in the Democratic convention is also presented, as follows:

"We advocate that the Congress immediately propose to truly representative conventions in the states, called to meet solely on the proposal, a repeal of the Eighteenth Amendment.

"In the event of repeal, we urge that the Democratic party cooperate in the enactment of such measures in the several states as will actually promote temperance, effectively prevent the return of the saloon and bring the liquor traffic under complete supervision and control by the states, and that the Federal Government effectively exercise its power to protect states against importation of intoxicating liquors in violation of their laws."

OTHER PROPOSED CONSTITUTIONAL AMENDMENTS

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

SOCIALIST PLATFORM

1. Proportional representation.
2. Direct election of the President and Vice-President.
3. The initiative and referendum.
4. An amendment to the Constitution to make constitutional amendments less cumbersome.
5. Abolition of the power of the

Supreme Court to pass upon the constitutionality of legislation enacted by Congress.

6. The passage of the Socialist party's proposed Workers' Rights' amendment to the Constitution empowering Congress to establish national systems of unemployment, health and accident insurance and old age pensions, to abolish child labor, establish and take over enterprises in manufacture, commerce, transportation, banking, public utilities and other business and industries to be owned and operated by the government, and, generally, for the social and economic welfare of the workers of the United States.

FOREIGN RELATIONS; ARMY AND NAVY

FOREIGN AFFAIRS

REPUBLICAN PLATFORM

Our relations with foreign nations have been carried on by President Hoover with consistency and firmness but with mutual understanding and peace with all nations. The world has been overwhelmed with economic strain which has provoked extreme nationalism in every quarter, has overturned many governments, stirred the springs of suspicion and distrust, and tried the spirit of international cooperation, but we have held to our own course steadily and successfully. The party will continue to maintain its attitude of protecting our national interests and policies wherever threatened but at the same time promoting common understanding of the varying needs and aspirations of other nations and going forward in harmony with other peoples without alliances or foreign partnerships. The facilitation of world intercourse, the freeing of commerce from unnecessary impediments, the settlement of international difficulties by conciliation and the methods of law, and the elimination of war as a re-

DEMOCRATIC PLATFORM

We advocate a firm foreign policy, including peace with all the world and the settlement of international dispute by arbitration; no interference in the internal affairs of other nations; the sanctity of treaties and the maintenance of good faith and of good will in financial obligations; adherence to the World Court with appending reservations; the Pact of Paris abolishing war as an instrument of national policy, to be made effective by provisions for consultation and conference in case of threatened violations of treaties.

SOCIALIST PLATFORM

While the Socialist party is opposed to all war, it believes that there can be no permanent peace until Socialism is established internationally. In the meanwhile, we will support all measures that promise to promote good will and friendship among the nations of the world, including:

sort of national policy have been and will be our party program.

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We believe in and look forward to the steady enlargement of the principles of equality of treatment between nations great and small, the concession of sovereignty and self-administration to every nation which is capable of carrying on stable government and conducting sound and orderly relationships with other peoples, and the cultivation of trade and intercourse on the basis of uniformity of opportunity of all nations.

In pursuance of these principles, which have steadily gained favor in the world, the administration has asked no special favors in commerce, has protested discriminations whenever they arose, and has steadily cemented this procedure by reciprocal treaties guaranteeing equality for trade and residence. The historic American policy known as the "most favored nation principle" has been our guiding program; and we believe that policy to be the only one consistent with a full development of international trade, the only one suitable for a country having as wide and diverse a commerce as America and the one most appropriate for us in view of the great variety of our industrial, agricultural and mineral products and the traditions of our people. Any other plan involves bargains and partnerships with foreign nations and as a permanent policy is unsuited to America's position.

The reduction of armaments, leading to the goal of total disarmament by international agreement, if possible, but, if that is not possible, by setting an example ourselves. Soldiers, sailors, and workers unemployed by reason of disarmament to be absorbed, where desired, in a program of public works, to be financed in part by the savings due to disarmament. The abolition of conscription, of military training camps and the R.O.T.C.

The recognition of the Soviet Union and the encouragement of trade and industrial relations with that country.

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Prohibition of the sales of munitions to foreign powers.

DEBT CANCELLATION

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

We oppose cancellation of the debts owing to the United States by foreign nations.

SOCIALIST PLATFORM

The cancellation of war debts due

from the allied governments as part of a program for wiping out war debts and reparations, provided that such cancellation does not release money for armaments, but promotes disarmament.

WORLD COURT

REPUBLICAN PLATFORM

The acceptance by America of membership in the World Court has been approved by three successive Republican Presidents, and we commend this attitude of supporting in this form the settlement of international disputes by the rule of law. America should join its influence and gain a voice in this institution, which would offer us a safer, more judicial and expeditious instrument for the constantly recurring questions between us and other nations than is now available by arbitration.

DEMOCRATIC PLATFORM

We advocate adherence to the World Court with appending reservations.

SOCIALIST PLATFORM

The entrance of the United States into the World Court.

LEAGUE OF NATIONS

SOCIALIST PLATFORM

The entrance of the United States into the League of Nations under conditions which will make it an effective instrument for world peace, and renewed cooperation with the working-class parties abroad to the end that the League may be transformed from a league of imperialist powers to a democratic assemblage representative of the aspirations of the common people of the world.

CONDITIONS ON THE PACIFIC

REPUBLICAN PLATFORM

Events in the Far East, involving the employment of arms on a large scale in a controversy between Japan and China, have caused world-wide concern in the past year and sorely tried the bulwarks erected to insure peace and pacific means for the settlement of international disputes. The

DEMOCRATIC PLATFORM

SOCIALIST PLATFORM

The withdrawal of United States military and naval forces from China and the relinquishment of American extra-territorial privileges.

controversy has not only threatened the security of the nations bordering the Pacific, but has challenged the maintenance of the policy of the Open Door in China and the administrative and political integrity of that people, programs which upon American initiation were adopted more than a generation ago and secured by international treaty. The President and his Secretary of State have maintained throughout the controversy a just balance between Japan and China, taking always a firm position to avoid entanglement in the dispute but consistently upholding the established international policies and the treaty rights and interests of the United States, and never condoning developments that endangered the obligation of treaties or the peace of the world. Throughout the controversy our government has acted in harmony with the governments represented in the League of Nations, always making it clear that American policy would be determined at home but always lending a hand in the common interest of peace and order.

In the application of the principles of the Kellogg Pact the American Government has taken the lead, following the principle that a breach of the Pact or a threat of infringement thereof was a matter of international concern wherever and howsoever brought about.

As a further step the Secretary of State, upon the instruction of the President, adopted the principle later enlarged upon in his letter to the Chairman of the Committee on Foreign Relations of the Senate, that this government would not recognize any situation, treaty or agreement brought about between Japan and China by force and in defiance of the covenants of the Kellogg Pact. This principle, associated as it is with the name of President Hoover, was later adopted by the Assembly of the nations at Geneva as a rule for the

conduct of all those governments. The principle remains today as an important contribution to international law and a significant moral and material barrier to prevent a nation obtaining the fruits of aggressive warfare. It thus opens a new pathway to peace and order.

We favor enactment by Congress of a measure that will authorize our government to call or participate in an international conference in case of any threat of non-fulfillment of Article 2 of the Treaty of Paris (Kellogg-Briand Pact).

LATIN AMERICA

REPUBLICAN PLATFORM

The policy of the Administration has proved to our neighbors of Latin America that we have no imperialistic ambitions but that we wish only to promote the welfare and common interest of the independent nations in the Western Hemisphere. We have aided Nicaragua in the solution of its troubles and our marines are remaining in that country, in greatly reduced numbers at the request of the Nicaraguan government, only to supervise the coming election. After that they will all be returned to the United States. In Haiti, in accord with the recommendations of the Forbes Commission, appointed by the President, the various services of supervision are being rapidly withdrawn and only those will be retained which are mandatory under the treaties. Throughout Latin America the policy of the Government of the United States has been and will, under Republican leadership, continue to be one of frank and friendly understanding.

DEMOCRATIC PLATFORM

SOCIALIST PLATFORM

The abandonment of every degree of military intervention by the United States in the affairs of other countries. The immediate withdrawal of military forces from Haiti and Nicaragua.

REDUCTION OF ARMAMENT BY INTERNATIONAL AGREEMENT

REPUBLICAN PLATFORM

Conscious that the limitation of armament will contribute to security

DEMOCRATIC PLATFORM

We advocate international agreements for reduction of armaments

against war, and that the financial burdens of military preparation have been shamefully increased throughout the world, the administration under President Hoover has made steady efforts and marked progress in the direction of proportional reduction of arms by agreement with other nations. Upon his initiative a treaty between the chief naval powers at London in 1930, following the path marked by the Washington Conference of 1922, established a limitation of all types of fighting ships on a proportionate basis as between the three great naval powers. For the first time, a general limitation of a most costly branch of armament was successfully accomplished.

In the Geneva disarmament conference now in progress America is an active participant, and a representative delegation of our citizens is laboring for further progress in a cause to which this country has been an earnest contributor. This policy will be pursued.

Meanwhile, maintenance of our Navy on the basis of parity with any nation is a fundamental policy to which the Republican party is committed. While in the interest of necessary government retrenchment, humanity and relief of the taxpayer we shall continue to exert our full influence upon the nations of the world in the cause of reduction of arms, we do not propose to reduce our navy defenses below that of any other nation.

and cooperation with nations of the Western Hemisphere to maintain the spirit of the Monroe Doctrine.

SOCIALIST PLATFORM

The reduction of armaments, leading to the goal of total disarmament by international agreement, if possible, but, if that is not possible, by setting an example ourselves. Soldiers, sailors, and workers unemployed by reason of disarmament to be absorbed, where desired, in a program of public works, to be financed in part by the savings due to disarmament. The abolition of conscription, of military training camps and the R.O.T.C.

NATIONAL DEFENSE

REPUBLICAN PLATFORM

Armaments are relative and, therefore, flexible and subject to change as necessity demands. We believe that in time of war every material resource in the nation should bear its proportionate share of the burdens occasioned by the public need, and that it is a duty of government to

DEMOCRATIC PLATFORM

We advocate a Navy and an Army adequate for national defense, based on a survey of all facts affecting the existing establishments, that the people in time of peace may not be burdened by an expenditure fast approaching a billion dollars annually.

perfect plans in time of peace whereby this objective may be attained in war. We support the essential principles of the National Defense Act as amended in 1920 and by the Air Corps Act of 1926, and believe that the Army of the United States has through successive reductions, accomplished in the last twelve years, reached the irreducible minimum consistent with the self-reliance, self-respect and security of this country.

SOCIALIST PLATFORM

The reduction of armaments, leading to the goal of total disarmament by international agreement, if possible, but, if that is not possible, by setting an example ourselves. . . . The abolition of conscription, of military training camps and the R.O.T.C.

VETERANS

REPUBLICAN PLATFORM

Our country is honored whenever it bestows relief on those who have faithfully served its flag. The Republican party, appreciative of this solemn obligation and honor, has made its sentiments evident in Congress.

Increased hospital facilities have been provided, payments in compensation have more than doubled, and in the matter of rehabilitations, pensions, and insurance, generous provision has been made. The Administration of laws dealing with the relief of veterans and their dependents has been a difficult task, but every effort has been made to carry service to the veteran and bring about not only a better and generous interpretation of the law, but a sympathetic consideration of the many problems of the veteran.

We believe that every veteran incapacitated in any degree by reason of illness or injuries attributed to service in defense of his country should be cared for and compensated, so far as compensation is possible, by a grateful nation, and that the dependents of those who lost their lives in war or whose death since the war in which service was rendered is traceable to service causes, should be provided for adequately. Legislation should be in accord with this principle.

DEMOCRATIC PLATFORM

We advocate the full measure of justice and generosity for all war veterans who have suffered disability or disease caused by or resulting from actual service in time of war, and for their dependents.

Disability from causes subsequent and not attributable to war and the support of dependents of deceased veterans whose death is unconnected with war, have been to some measure accepted obligations of the nation as a part of the debt due.

A careful study should be made of existing veterans legislation with a view to eliminating inequalities and injustices and effecting all possible economies, but without departing from our purpose to provide on a sound basis full and adequate relief for our service disabled men, their widows and orphans.

NATIONAL DEPENDENCIES

ALASKA

REPUBLICAN PLATFORM

We favor the policy of giving to the people of Alaska the widest possible territorial self-government and the selection, so far as possible, of *bona-fide* residents for positions in that Territory and the placing of its citizens on an equality with those in the several states.

DEMOCRATIC PLATFORM

PUERTO RICO

REPUBLICAN PLATFORM

Puerto Rico being a part of the United States and its inhabitants American citizens, we believe that they are entitled to a good faith recognition of the spirit and purposes of their Organic Act. We, therefore, favor the inclusion of the Island in all legislative and administrative measures enacted or adopted by Congress or otherwise for the economic benefit of their fellow citizens of the mainland.

We also believe that in so far as possible all officials appointed to administer the affairs of the Island government should be qualified by at least five years of *bona-fide* residence therein.

DEMOCRATIC PLATFORM

We advocate ultimate statehood for Porto Rico.

HAWAII

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

We believe that the existing status of self-government which for many years has been enjoyed by the citizens of the Territory of Hawaii should be maintained, and that officials appointed to administer the government should be *bona-fide* residents of the Territory.

PHILIPPINES

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

We advocate independence for the Philippines.

SOCIALIST PLATFORM

The complete independence of the Philippines and the negotiation of treaties with other nations safeguarding the sovereignty of these islands.

PANAMA CANAL

DEMOCRATIC PLATFORM

We advocate the employment of American citizens in the operation of the Panama Canal.

ADMINISTRATIVE AND SOCIAL POLICIES

CIVIL SERVICE

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

The merit system has been amply justified since the organization of the Civil Service by the Republican party. As a part of our governmental system it is now unassailable. We believe it should remain so.

REORGANIZATION OF GOVERNMENT BUREAUS

REPUBLICAN PLATFORM

Efficiency and economy demand reorganization of government bureaus. The problem is non-partisan and must be so treated if it is to be solved. As a result of years of study and personal contact with conflicting activities and wasteful duplication of effort, the President is particularly fitted to direct measures to correct the situation. We favor legislation by Congress which will give him the required authority.

DEMOCRATIC PLATFORM

THE NEGRO

REPUBLICAN PLATFORM

For seventy years the Republican party has been the friend of the American Negro. Vindication of the right of the Negro citizen to enjoy the full benefits of life, liberty, and the pursuit of happiness is traditional in the Republican party, and our party stands pledged to maintain equal opportunity and rights for our Negro citizens. We do not propose to depart from that tradition or to alter the spirit or letter of that pledge.

DEMOCRATIC PLATFORM

SOCIALIST PLATFORM

The enforcement of constitutional guarantees of economic, political and legal equality for the Negro.

The enactment and enforcement of drastic anti-lynching laws.

INDIANS

REPUBLICAN PLATFORM

We favor the fullest protection of the property rights of the American Indians and the provision for them of adequate educational and health facilities.

DEMOCRATIC PLATFORM

WELFARE WORK; CHILDREN

REPUBLICAN PLATFORM

The children of our nation, our future citizens, have had the most solicitous thought of our President. Child welfare and protection has

DEMOCRATIC PLATFORM

We advocate continuous responsibility of government for human welfare, especially for the protection of children.

been a major effort of this Administration. The organization of the White House Conference on Child Health and Protection is regarded as one of the outstanding accomplishments of this Administration.

Welfare work in all its phases has had the support of the President and aid of the Administration. The work of organized agencies, local, state and Federal, has been advanced and an increased impetus given by that recognition and help. We approve and pledge a continuation of that policy.

SOCIALIST PLATFORM

The abolition of child labor.

CRIME; JUDICIAL SYSTEM

REPUBLICAN PLATFORM

We favor the enactment of rigid penal laws that will aid the states in stamping out the activities of gangsters, racketeers and kidnapers. We commend the intensive and effective drive made upon these public enemies by President Hoover and pledge our party to further efforts to the same purpose.

DEMOCRATIC PLATFORM

We advocate simplification of legal procedure and reorganization of the judicial system to make the attainment of justice speedy, certain, and at less cost.

NARCOTICS

REPUBLICAN PLATFORM

The Republican party pledges itself to continue the present relentless warfare against the illicit narcotic traffic and the spread of the curse of drug addiction among our people. This Administration has by treaty greatly strengthened our power to deal with this traffic.

DEMOCRATIC PLATFORM

CIVIL RIGHTS; FREEDOM OF SPEECH

REPUBLICAN PLATFORM

Freedom of speech, press and assemblage, are fundamental principles upon which our form of government rests. These vital principles should be preserved and protected.

DEMOCRATIC PLATFORM

SOCIALIST PLATFORM

Federal legislation to enforce the First Amendment to the Constitution so as to guarantee freedom of speech, press and assembly, and to

penalize officials who interfere with the civil rights of citizens.

.

The immediate repeal of the Espionage Law and other repressive legislation, and the restoration of civil and political rights to those unjustly convicted under wartime laws.

PARTY GOVERNMENT

REPUBLICAN PLATFORM

The vagaries of the present Democratic House of Representatives offer characteristic and appalling proof of the existing incapacity of that party for leadership in a national crisis. Individualism running amuck has displaced party discipline and has trampled underfoot party leadership. A bewildered electorate has viewed the spectacle with profound dismay and deep misgivings. Goaded to desperation by their confessed failure, the party leaders have resorted to "pork barrel" legislation to obtain a unity of action which could not otherwise be achieved. A Republican President stands resolutely between the helpless citizen and the disasters threatened by such measures; and the people, regardless of party, will demand his continued service. Many times during his useful life has Herbert Hoover responded to such a call, and his response has never disappointed. He will not disappoint us now.

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The delays and differences which recently hampered efforts to obtain legislation imperatively demanded by prevailing critical conditions strikingly illustrate the menace to self-government brought about by the weakening of party ties and party fealty. Experience has demonstrated that coherent political parties are indispensable agencies for the prompt and effective operation of the functions of our government under the Constitution. Only by united party

DEMOCRATIC PLATFORM

action can consistent, well planned and wholesome legislative programs be enacted. We believe that the majority of the Congressmen elected in the name of a party have the right and duty to determine the general policies of that party requiring Congressional action, and that Congressmen belonging to that party are, in general, bound to adhere to such policies. Any other course inevitably makes of Congress a body of detached delegates which, instead of representing the collective wisdom of our people, become the confused voices of a heterogeneous group of unrelated local prejudices. We believe that the time has come when Senators and Representatives of the United States should be impressed with the inflexible truth that their first concern should be the welfare of the United States and the well-being of all of its people, and that stubborn pride of individual opinion is not a virtue but an obstacle to the orderly and successful achievement of the objects of representative government. Only by cooperation can self-government succeed. Without it, election under a party ægis becomes a false pretense. We earnestly request that Republicans throughout the Union demand that their representatives in the Congress pledge themselves to these principles, to the end that the insidious influences of party disintegration may not undermine the very foundations of the Republic.

No successful solution of the problems before the country today can be expected from a Congress and a President separated by partisan lines, or opposed in purposes and principles. Responsibility cannot be placed unless a clear mandate is given by returning to Washington a Congress and a Chief Executive united in principles and program. The return to power of the Republican party with that mandate is the duty of every voter who believes in the doctrines of the party and its

program as herein stated. Nothing less, we believe, will insure the orderly recovery of the country and that return to prosperous days which every American so ardently desires.

CORRUPT PRACTICES ACT

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

We advocate continuous publicity of political contributions and expenditures; strengthening of the Corrupt Practices Act, and severe penalties for misappropriation of campaign funds.

We condemn the improper and excessive use of money in political activities.

LOBBIES

REPUBLICAN PLATFORM

DEMOCRATIC PLATFORM

We condemn paid lobbies of special interests to influence members of Congress and other public servants by personal contact.

CONCLUSION

REPUBLICAN PLATFORM

The Republican party faces the future unafraid!

With courage and confidence in ultimate success, we will strive against the forces that strike at our social and economic ideals, our political institutions.

DEMOCRATIC PLATFORM

In conclusion, to accomplish these purposes and to recover economic liberty we pledge the nominees of this convention the best efforts of a great party whose founder announced the doctrine which guides us now in the hour of our country's need:

Equal Rights to All: Special Privileges to None.

SOCIALIST PLATFORM

Committed to this constructive program, the Socialist party calls upon the nation's workers and upon all fair-minded and progressive citizens to unite with it in a mighty movement against the present drift into social disaster and in behalf of sanity, justice, peace and freedom.

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